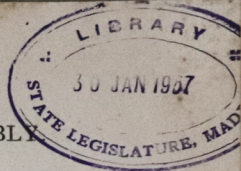


THE MADRAS LEGISLATIVE ASSEMBLY



Saturday 18th August 1956.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI N. GOPALA MENON) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Tapping of sweet toddy

* 120-I Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have stopped issuing licences for tapping sweet toddy in Coimbatore taluk, in pursuance of the resolution passed by the Coimbatore District Prohibition Committee during the year 1956;

(b) whether any fines were collected from the tappers of Kunnathur Jaggery Societies during April and May 1956 for not surrendering the jaggery to the Sale Society of Kunnathur; and

(c) the reasons for arresting or fining the owners of coconut gardens also if the tappers addicted to illicit tapping of toddy from such gardens are arrested?

THE HON. SRI B. PARAMESWARAN: (a) The Government have stopped the issue of fresh licences only but not the renewal of old licences.

(b) Yes, Sir. Only during May 1956.

(c) In cases where tapping of toddy is carried out with the knowledge of the owner of the coconut garden, the owner becomes liable and is proceeded against under section 4 (i) (d) and (e) of the Madras Prohibition Act.

SRI N. K. PALANISAMY: May I know why the Government have stopped issue of licences in Coimbatore district? Is it a prelude to the stopping of issue and renewal of licences in other districts also?

THE HON. SRI B. PARAMESWARAN: No, Sir. There was some abuse of the licences in Coimbatore and, therefore, issue of licences was stopped.

SRI V. BALAKRISHNAN: Will the Hon. the Minister kindly extend this wholesome stoppage of issue of licences for tapping sweet toddy to other districts also since the licences are misused, ill-used and disused so that the object of prohibition is effectively defeated?

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THE HON. SRI B. PARAMESWARAN : Every case will be decided on its merits.

SRI N. K. PALANISAMY : I am totally opposed to the stopping of issue of licences since there are lakhs of people remaining unemployed. Without considering the question of providing alternative employment to these men, is it fair to stop issue of licences?

THE HON. SRI B. PARAMESWARAN : I said at the very outset that the Government had stopped the issue of fresh licences only but not the renewal of old licences. Old licences are being renewed. But fresh licences will not be granted hereafter to those societies which are found working badly.

SRI N. K. PALANISAMY : How is the owner of the garden responsible when a tapper taps sweet toddy without the knowledge of the owner of the garden?

THE HON. SRI B. PARAMESWARAN : The Prohibition Act says that even the owner will be liable to be punished if he connives at the person who commits the offence.

Committee for the revision of Subordinate Services Rules

* 121 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Finance be pleased to state whether it is a fact that the Government have appointed a committee consisting of the Officers of the Secretariat to revise the existing Service Rules in respect of the several Subordinate Services in the State?

THE HON. SRI C. SUBRAMANIAM : The answer is in the negative.

Beggar problem

* 122 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have any scheme to tackle the beggar problem in cities and municipal towns; and

(b) if so, the details thereof?

THE HON. SRI C. SUBRAMANIAM : (a) Yes.

(b) Under the scheme drawn up by the Government, Beggar Homes will be started in some of the larger towns and tourist centres and will be run by the municipalities concerned. A grant of Rs. 10 per mensem in respect of each inmate detained in a home under the orders of a Court will be paid by the Government to the municipality. Payment of grant will be limited to a maximum strength of 100 inmates and 50 inmates in respect of each care camp intended for able-bodied beggars and each care home intended for diseased and infirm beggars, respectively. The services of a police staff of one head constable and six police constables will also be made available

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for the running of each care camp, but no police staff will be sanctioned for care homes. A budget provision of Rs. 1,39,000 has been made for 1956-57 and it is proposed to sanction the starting of seven care camps and ten care homes in the current year, as soon as the Government of India's approval for meeting their share of cost is received.

SRI N. K. PALANISAMY : May I know whether any subsidy will be given by the Central Government for the running of beggar homes in the State?

THE HON. SRI C. SUBRAMANIAM : The matter is under correspondence with the Government of India. We have asked for a 50 per cent grant from the Government of India.

SRI A. M. RATHNASWAMY : As some of the pavements and platforms in the City are crowded with disabled and diseased beggars and as this constitutes a serious inconvenience to the pedestrians, will the Government take early steps to clear these pavements and platforms of these beggars?

THE HON. SRI C. SUBRAMANIAM : I thought there was considerable improvement with reference to the position in the City, after we opened a care home and camp at Melpakkam near Madras which accommodates 500 beggars. Then there is a special home run by the Corporation of Madras accommodating 300 beggars. There is yet a third camp (Daya Sadan Care Home) with accommodation for 300 beggars which has been increased to 500. With the opening of these homes, the situation must have considerably improved. And my impression is also the same—that the position has improved.

SRI K. VINAYAKAM : Recently a proposal was mooted by the Corporation of Madras to house these disabled beggars from the City in the Malayan Emigration Depot at Avadi. I think a loan also was applied for. What has happened to that? Did the Government give any aid?

THE HON. SRI C. SUBRAMANIAM : This Melpakkam camp which is run by the Government is the property of the Malayan Emigration Depot. In addition to that, there is a camp run by the Corporation. Now there is a proposal to open one more on the Poonamallee High Road. That is still under consideration.

SRI M. NARAYANA KURUP : The Government tackled the beggar problem successfully at least for one day when the President visited the City when no beggar was seen anywhere in the City. Will the Government make this a permanent feature and extend it to the other parts of the State also so that not only for one day but throughout we may have this feature?

THE HON. SRI C. SUBRAMANIAM : Sir, I have a fairly good experience of how the City was before these homes were started and how it is now. My own impression is that there is now considerable improvement and it is the attempt of the Government to see that

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as far as possible all the beggars are housed somewhere. However, the insinuation that the beggars were rounded off during the President's visit is not correct.

SRI N. K. PALANISAMY : May I know, Sir, why the Police are entrusted with the work of running the homes? Why should not this work be given to the social workers?

THE HON. SRI C. SUBRAMANIAM : Policemen also have to function as social workers in dealing with beggars and beggar homes. They seem to run it very efficiently. We need not have any aversion to the Police dealing with this sort of work also.

SRI V. R. KRISHNA AYYAR : The phenomenon referred to by the hon. Member Sri Kurup did not take place as an isolated incident in Madras City only. When the Prime Minister, Mr. Nehru travelled the whole of Malabar the same phenomenon was noticed. May I ask the Government whether they have any plan or scheme to remove or spirit away the beggars when eminent personalities come. On the other hand, they should be allowed to see these things for themselves so that they can shape the policy of the country and get the beggar problem liquidated.

THE HON. SRI C. SUBRAMANIAM : The problem facing the country with regard to beggars which arises out of poverty is well-known to the persons in charge of the administration of the country and certainly steps are being taken to remove poverty.

SRI S. PANCHAKSHARAM : A large number of beggars are suffering from leprosy. Are they being separated and housed in separate camps or are they sent to a common home along with others?

THE HON. SRI C. SUBRAMANIAM : As it is a separate corner is allotted to the lepers in the same home. But now there is a proposal under the consideration of Government to have a separate home for lepers.

SRI M. PALANIYANDI : வேலை செய்யக்கூடிய திறமையுள்ள பிச்சைக்காரர்களும் நடமாடிக்கொண்டிருக்கிறார்கள். அவர்களுையெல்லாம் ஒன்று சேர்த்து, எங்கெங்கு உணைக்கட்டு கட்டுதல் போன்ற பெரிய வேலைகள் நடக்கின்றனவோ அங்கெல்லாம் அவர்களிடம் வேலை வாங்குவதற்கு அரசாங்கம் ஏதாவது திட்டம் வைத்திருக்கிறதா ?

THE HON. SRI C. SUBRAMANIAM : நல்ல தேக பலமுள்ள பிச்சைக்காரர்களிடமிருந்து வேலை வாங்குவதற்காகத்தான் இந்த பாதகாப்பு இல்லங்கள் ஆரம்பிக்கப்பட்டிருக்கின்றன. ஆனால், அவர்களை அங்கிருந்து ஓடிவிடாமல் பார்த்துக்கொள்வதுதான் மிகவும் கஷ்டமாக இருக்கிறது. வேலை செய்து பிழைப்பதைவிட பிச்சை எடுத்துப் பிழைப்பதே சுதந்திர வாழ்க்கை என்று அவர்கள் நினைக்கிறார்கள்.

SRI T. C. NARAYANAN NAMBIAR : May I know from the Hon. Minister whether Government have received a representation from the Kozhikode Municipality for permission to run a beggar home in that municipality and whether it has been permitted to run the institution and if not the reasons for refusal?

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THE HON. SRI C. SUBRAMANIAM : Yes, Sir, the Kozhikode Municipality is one of the municipalities which has agreed to run work-houses and special homes. But sanction has not yet been granted pending receipt of reply from the Government of India regarding the subsidy asked from them.

SRI V. BALAKRISHNAN : Are these homes gender mixing beggar homes? (Laughter.)

MR. SPEAKER : The hon. Member wants to know whether they are mixed homes, males and females residing there together.

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, both men and women are taken there. I, for a moment, forgot that it was the hon. Member Sri Balakrishnan that was putting the question. (Laughter.)

SRI S. DAIVASIGAMONEY : The bus stops in the City and other important places like the harbour and railway stations are infested with diseased beggars suffering from leprosy and other bad diseases. May I request the Hon. Minister whether he would issue immediate orders to round off these persons as and when they appear in these places?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, that is what is being done. In spite of that, the problem has not been completely solved. It is because of the enormity of the problem. But every attempt is being made to see that all beggars are rounded off and taken to the homes.

SRI V. MUTHU : வேலை செய்யக்கூடிய தேச பலம் இருக்கும் பிச்சைக்காரர்களைப் பிடித்துவைத்து அவர்கள் பாதுகாப்பு இல்லங்களிலிருந்து வெளியே ஓடாமல் பார்த்துக்கொள்வது சிாமமாக இருக்கிறது என்று மந்திரி அவர்கள் சொன்னார். அப்படி ஒடிப்போகிறவர்களைக் குற்றம் செய்தவர்களாகக் கருதி, அவர்களுக்கு சிறை தண்டனை விதிக்க அரசாங்கம் ஏற்பாடு செய்வார்களா?

THE HON. SRI C. SUBRAMANIAM : ஜெபிலுக்கு அனுப்பினால் அங்கேயும்தான் அவர்களுக்கு சாப்பாடு போடவேண்டும். இதுதான் இருக்கக்கூடிய முக்கியமான பிரச்சனை.

SRI P. CHELLATHURAI : பிச்சை எடுத்துதான் வாழவேண்டுமென்ற நிலைமையில் இருப்பவர்களுக்கு லைசன்ஸ் வழங்கும் முறையை அரசாங்கம் ஆலோசிக்குமா? (சிரிப்பு.)

THE HON. SRI C. SUBRAMANIAM : கனம் அங்கத்தினர் ரொம்பவும் ஒரு நல்ல யோசனையைச் சொல்லியிருக்கிறார். அவர் சொல்லிய யோசனையைப் பரிசீலிக்க அவரையே தலைவராகக்கொண்டு ஒரு கமிட்டி ஏற்படுத்தி, அவர் ஒரு திட்டம் வகுத்துக் கொடுப்பார்களானால், சர்க்காரும் அதைப் பரிசீலனை செய்யும். (சிரிப்பு.)

Starting of beggar relief schemes by municipalities

* 123 Q.—**SRI V. R. KRISHNA AYYAR :** Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have sanctioned any scheme for destitute relief to be worked by municipalities;

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(b) if so, what is the Governmental contribution in working the schemes; and

(c) how many municipalities have started such beggar relief schemes with Governmental aid?

THE HON. SRI C. SUBRAMANIAM : I think it about the same question, Sir.

(a) No.

(b) The Government propose to sanction a scheme for the establishment of beggar homes in some larger towns and tourist centres. Under the scheme, Government will pay the municipality concerned a grant of Rs. 10 per mensem in respect of each inmate detained in a home under the orders of a Court. The services of a Police staff of one head constable and six Police constables will also be made available for the running of each care camp intended for able-bodied beggars.

(c) None, as the scheme has not yet been sanctioned.

SRI V. R. KRISHNA AYYAR : So far as I know the Tellicherry and Kozhikode Municipalities have agreed to the scheme and have recommended to the Government by a resolution that they are willing to run such homes. May I know whether they cannot be sanctioned tentatively subject to the sanction by the Government of India regarding subsidy?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. There are about ten or eleven municipalities who have come forward to run these homes including Kozhikode and Tellicherry. None of these have been sanctioned and they are pending receipt of sanction from the Government of India.

SRI A. M. RATHNASWAMY : Begging by youngsters at bus stops and at places where people collect is going on not only in the City but also in places outside the City. Will the Government take special steps to see that these youngsters do not succumb to this begging profession?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. Special efforts are being made and there is a special home for these young children.

SRI T. C. NARAYANAN NAMBIAR : In view of the fact that among the beggars that we see in the City and elsewhere, a considerable number of them are children of school-going age and even below that, will the Government consider the question of drawing up a separate scheme for bringing these children under instruction and at the same time giving them some facilities for boarding also?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, when they are rounded off, they are put in the homes and given schooling also. The difficulty in these cases is these children are being used by

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certain men and they are exploited for the purpose of begging, out of the proceeds of which only a small share is given to them and a bigger share taken away by the other people, organizing the begging. That is the real difficulty. But we are trying to tackle that problem.

SRI V. R. KRISHNA AYYAR : It is many months since the Madras Government made reference to the municipalities and some months since some of these municipalities agreed to run these homes. Would Government therefore inform the Central Government that this being an urgent problem the subsidy may be granted at a very early date so that the scheme may be set going on the second of October which is considered to be an auspicious day for us?

THE HON. SRI C. SUBRAMANIAM : Sir, the Government of India have been impressed regarding the necessity to open the homes urgently. I saw a news item a few days back that they have agreed to the opening of these homes in the various States. But they seem to be thinking in a very limited way, limiting the homes only to hundred beggars in each State. That will not meet even the fringe of the problem. What we have proposed is on a much larger scale.

SRI K. VINAYAKAM : We understand that this beggar problem is a very enigmatic one and it has got to be solved by slow degrees. In places of public worship like Vadapalani and Mylapore where people congregate to worship God, they are besieged with these beggars suffering from ghastly diseases like leprosy. Will the Government issue instructions to the local police authorities to see that these beggars are not allowed anywhere near places of worship?

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a.m.

THE HON. SRI C. SUBRAMANIAM : These beggars are encouraged to go to these temples and round about, because those who go to the temples think they should give some charity and they think that by so doing they are doing something praiseworthy which would give them something in addition to what they would get by worshipping in the temple. Therefore if only the public would realise that it is not good to show this individual charity to the beggars round about these temples, then the problem would be solved. Government are aware of this problem and they are trying their best to see that the temples also start some destitute homes.

SRI S. DAIVASIGAMONEY : There are what are called police round off even casual beggars who gather to take meals in "casual beggars" and "professional beggars". Sometimes they go to a rich man's home on festive occasions. Is there not a method by which casual beggars could be differentiated from professional beggars?

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THE HON. SRI C. SUBRAMANIAM : It is not as if immediately a beggar was taken into custody he is sent to the Beggar Home. An enquiry is made and if the relations of that particular person are willing to take him back or if he himself says that he would go back to his home, then he is set free. It is not a question of his being taken automatically to the Care Home or Special Home.

SRI M. PALANIYANDI : பிச்சைக்காரர்களை எப்படியாவது பாதுகாப்பதற்காக ராஜாஜி முதன் மந்திரியாக இருந்த காலத்திலேயே மத்திய அரசாங்கத்துடன் கடிதப்போக்குவரத்து நடந்து வந்ததாகத் தெரியவருகிறது. இம்மாதிரி முக்கியமான சமூகப் பிரச்சனைகளை மத்திய அரசாங்கம் தாமதமில்லாமல் சீக்கிரமாக தீர்ப்பதற்கு நமது நிதி அமைச்சர் அவர்கள் வேண்டிய நடவடிக்கை எடுப்பார்களா?

THE HON. SRI C. SUBRAMANIAM : I hope they are also aware of the urgency of the problem. It is not as if they were averse to giving sanction to these schemes; but I am hoping they would be giving some relief, even though that relief may not satisfy us to the extent we required.

SRI M. NARAYANA KURUP : When persons who come to power forget the beggars, is it not good that those who go to the temples treat the beggars with kindness and pay them something for their relief?

THE HON. SRI C. SUBRAMANIAM : This is a matter of differing opinions. But I may assure the hon. Member that it is not those who are in power who forget the beggar problem. As a matter of fact, they have to think always how to tackle this baffling problem. But others have no responsibility other than pointing out the defects and saying that no steps have been taken to tackle this beggar problem.

*Dispute between the management and workers of the
Madurai Mills*

* 124 Q.—**SRI M. KALYANASUNDARAM :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any conciliation by the Labour Commissioner took place during May 1956 in the dispute between the management and workers of the Madurai Mills, Ltd., Madurai:

(b) when the Labour Commissioner submitted his report to the Government?

(c) when and what action was taken by the Government on the report; and

(d) whether a copy of the report will be placed on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

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(b) The Commissioner of Labour submitted his report on 15th May 1956.

(c) On 30th May 1956 the Government referred the following issues for adjudication by a Special Industrial Tribunal constituted for the purpose :

(i) Whether the revision of the workload as notified by the management would be necessary and justifiable; and if not, to what extent, modifications, if any, are necessary; and

(ii) what should be the revision in the existing basic wages?

The Government did not refer the other demands of the workers for adjudication by the Tribunal as they considered them to be not justified. The parties have been informed accordingly.

(d) A copy * of the Conciliation Report of the Commissioner of Labour, dated 15th May 1956, is placed on the table of the House.

SRI K. P. GOPALAN : May I know from the Hon. Minister why Government have not referred the question of making permanent the large number of temporary workers for adjudication. In the report it is stated that there are thousands of temporary workers in this mill who had not been made permanent.

THE HON. SRI M. BHAKTAVATSALAM : From the report of the Commissioner of Labour, Government found that the management were already employing the required number of permanent workers. Temporary workers could be confirmed only when permanent vacancies arise. Therefore Government thought that no intervention was justified.

SRI P. RAMAMURTHI : Are the Government aware of the fact that when the Conciliation Officer asked the management on an earlier occasion to supply him with a list of permanent workers and temporary workers, the management consistently refused to supply that list for three months. In those circumstances may I know on what basis Government came to the conclusion that the management were employing the required number of permanent workers?

THE HON. SRI M. BHAKTAVATSALAM : I have already said that Government came to this conclusion on the report and particulars furnished by the Commissioner of Labour.

SRI M. KALYANASUNDARAM : What is found in the report is that Sri Cunniah argued that 4,000 workers had been kept as temporary and he wanted that they should be made permanent. Neither the Commissioner of Labour nor the Hon. Minister is able to tell us how they came to know the total strength of permanent workers in the mill. I submit that these 4,000 workers have been treated as temporary workers for a considerable number of

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years. If they are not permanently required, the management would not have kept them as temporary workers for such a long time. Will the Government see that this dispute is referred for adjudication because the management have been trying to evade the responsibility of conferring certain privileges on the workers by not making them permanent?

THE HON. SRI M. BHAKTAVATSALAM : What has been placed on the table of the House is only a copy of the conciliation report. But we have also got further reports from the Commissioner of Labour and according to the information furnished by the Commissioner of Labour, Government found that there were no permanent vacancies.

SRI P. RAMAMURTHI : When did the Commissioner of Labour make enquiries? When did he get these figures? What was the date on which he collected these figures? Was the Employees' Union given an opportunity to challenge these figures?

THE HON. SRI M. BHAKTAVATSALAM : For furnishing the particulars asked for by the Leader of the Opposition, I would like to have notice.

SRI M. PALANIYANDI : நிரந்தரமாக வேலை காலி உள்ளதா இல்லையா என்பதுபற்றி கேள்வி அல்ல. சாதாரணமாக சுமார் 4,000 தொழிலாளர்கள் 150, 200 நாட்களுக்கு வேலை வாங்கப்படுகிறார்கள். ஆகையால் மாணேஜ்மென்ட், லேபர் கமிஷனர் முதலியோர்களைக்கொண்ட ஒரு சிறு கமிட்டி அமைத்து எவ்வளவு நாட்களுக்கு அவர்கள் வேலை செய்திருக்கிறார்கள், அவர்களை நிரந்தரமாக்குவதற்கு முடியுமா முடியாதா என்பதுபற்றி விசாரணை செய்ய அரசாங்கம் நடவடிக்கை எடுக்குமா?

THE HON. SRI M. BHAKTAVATSALAM : உள்ளூரில் இருக்கும் லேபர் ஆபீசர், லேபர் கமிஷனர் இவர்களை என்னென்ன 'இஷ்யூக்கள்' எழுப்பப்பட்டதோ, அவைகளைப்பற்றி விசாரித்து ரிபோர்ட் அனுப்பச் சொன்னோம். அவர்கள் இந்த விஷயங்களில் அரசாங்கம் தலையிடுவதற்கு ஒன்றும் வழியில்லை என்று அபிப்பிராயம் தெரிவித்தார்கள். அந்த அபிப்பிராயத்தை அரசாங்கம் ஒப்புக்கொண்டு அதன்படி முடிவு செய்தது.

SRI P. RAMAMURTHI : What was the basis on which the Government of Madras came to the conclusion that there was no justification for the claim of bonus?

THE HON. SRI M. BHAKTAVATSALAM : After examining the report of the Commissioner of Labour, Government came to certain conclusions. The offer of the management to give four months basic wages as bonus for 1955 has been accepted without prejudice by all workers except those belonging to five unions numbering 9,217. Government are satisfied that the amount claimed as rehabilitation reserve by the management is correct according to the decision of the Labour Appellate Tribunal. After allowing for rehabilitation reserve, there was no surplus left other than that offered by the management. Therefore, Government considered there was no good case for adjudication.

SRI P. RAMAMURTHI : Are the Government aware that last year when the management put forward the same plea with regard

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to the amount claimed towards rehabilitation allowance and the Government also accepted that plea, the Industrial Tribunal decided against the management and the Government. Are the Government to-day sitting in judgment over the decision of the Tribunal?

THE HON. SRI M. BHAKTAVATSALAM : I have no information about the latest decisions of the Labour Appellate Tribunal.

SRI P. RAMAMURTHI : What is the latest decision of the Appellate Tribunal that he refers to? There was no decision of the Appellate Tribunal after the last year's decision. Are the Government sitting in judgment over the decision of the Labour Appellate Tribunal?

THE HON. SRI M. BHAKTAVATSALAM : There is no question of the Madras Government sitting in judgment over the decision of any Tribunal. On the basis of the decision of the Appellate Tribunal, the Government came to this conclusion.

SRI S. RAMALINGAM : மதுரை மில்லில் வேலை பளு அதிகரித்திருப்பதனால்தான் தாற்காலிகத் தொழிலாளர்களை நிரந்தரமாக்க முடியவில்லை என்று ரிப்போர்ட்டில் சொல்லியிருக்கிறார்கள். வேலை பளுவை குறைப்பதற்கு சர்க்கார் ஏதாவது நடவடிக்கை எடுத்திருக்கிறார்களா?

THE HON. SRI M. BHAKTAVATSALAM : வேலைப் பளுவிஷயமாகத்தான் இப்போது பிரத்யேக (ஸ்பெஷல்) ட்ரிப்யூனல் அமைக்கப்பட்டிருக்கிறது. இது பற்றி இந்த ட்ரிப்யூனல் விசாரித்து முடிவு சொல்லும்.

SRI N. K. PALANISAMY : When the Government allow the management to increase the workload, why should they not compel the management to make the temporary workers permanent?

THE HON. SRI M. BHAKTAVATSALAM : I am unable to understand what exactly the hon. Member suggests. The Government have referred to a Special Industrial Tribunal the revision of the workload.

SRI M. KALYANASUNDARAM : It is seen from the balance-sheet that last year, out of a total profit of Rs. 44.20 lakhs, the management has allotted Rs. 22.63 lakhs towards rehabilitation allowance. Last year the management claimed only Rs. 17 lakhs which had been disallowed by the Labour Appellate Tribunal. On what basis did the Government agree to the allotment of such a huge sum for rehabilitation purposes?

THE HON. SRI M. BHAKTAVATSALAM : If the hon. Member would put a separate question, I could explain the basis on which the Government came to this decision.

SRI P. RAMAMURTHI : What is the basis on which the Government of Madras came to the conclusion that these unions were not representative of the workers? Did the Government adopt the same criterion in Mettur last year. When the workers received bonus as per agreement with another Union, the Government thought it fit to refer the matter for adjudication.

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THE HON. SRI M. BHAKTAVATSALAM: I may tell the hon. Leader of the Opposition that the Government do not discriminate between one union and another.

SRI P. RAMAMURTHI: If the Government do not discriminate, may I request the Hon. Minister to enlighten us as to the basis on which they allowed adjudication in the case of Mettur and denied adjudication in the case of Madurai?

THE HON. SRI M. BHAKTAVATSALAM: When I say that we do not discriminate between one union and another, I want the hon. Leader of the Opposition to understand that we put a different interpretation on the position in Mettur.

SRI V. BALAKRISHNAN: The Minister referred to the Government interfering with the interpretation of the Tribunal. May I know whether the interpretation was given by a judicial tribunal or a quasi-judicial tribunal?

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member is quite well aware of the constitution of the Industrial Tribunals and it is for him to judge whether they are judicial or quasi-judicial bodies.

SRI P. RAMAMURTHI: Is the Hon. Minister aware that even under the provisions of the existing Act, a union is considered to be representative if 25 per cent of the workers are members of it? In view of the fact that over 9,000 out of a total of 22,000 workers are members of these unions what is the criterion by which he considers that these unions are not representatives.

THE HON. SRI M. BHAKTAVATSALAM: The Government considered that the quantum of bonus had been accepted by a substantial section of labour. When the Government were satisfied about this, they refused to refer the matter for further adjudication. That is how the Government decided not to refer this matter for adjudication.

Houses for lower-income groups

* 125 Q.—**SRI N. K. PALANISAMY:** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether this Government have received any communication from the Centre during June 1956 with regard to the construction of houses for lower-income groups in this State;

(b) whether this Government have submitted any report to the Centre in respect of it; and

(c) if so, the details thereof?

THE HON. SRI M. BHAKTAVATSALAM: (a) to (c) Several communications have been received from the Government of India relating to construction of houses under the Low-Income Group

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Housing Scheme. The hon. Member is requested to put a separate question specifying the point on which information is required.

SRI N. K. PALANISAMY : Last year the Central Government allotted to our State about Rs. 46 lakhs for the construction of houses under this scheme, while the Madras Government utilized only about Rs. 18 lakhs. May I know whether this Government asked the Central Government to give them the amount that they left unutilized?

THE HON. SRI M. BHAKTAVATSALAM : I would like to have notice.

SRI V. R. NAGARAJAN : Is it a fact that large amounts of money earmarked for building houses for the lower-income staff of the municipalities and local boards remained idle under the First Five-Year Plan and have the Government any proposal to direct the local authorities to take up the schemes and not allow the money to lapse?

THE HON. SRI M. BHAKTAVATSALAM : It must be no doubt correct to say that the entire allotment for housing has not been utilized. There are so many difficulties in the way of utilizing the allotment and merely issuing of orders to local bodies to proceed with the scheme will not serve any useful purpose. I may tell the hon. Member that the Government are equally anxious to utilize the entire allotment for the low-income group housing scheme, especially in view of the shortage of houses. The Government have recently held a conference and discussion and are taking all possible steps to expedite the construction of houses under the Low-Income Group Housing Scheme.

SRI V. S. SIVAPRAKASAM : Under this scheme of housing for low-income groups, may I know, whether, apart from the Co-operative Building Societies, individual persons in rural areas are also eligible for long-term loans for construction of houses, and, if so, the maximum limit of loan that can be granted?

THE HON. SRI M. BHAKTAVATSALAM : In the National Extension Service and Community Development areas, individuals are given aid up to 50 per cent for small houses, perhaps ranging from Rs. 400 to Rs. 500 to Rs. 750 to Rs. 1,000.

SRI K. VINAYAKAM : From the answer of the Hon. Minister it is clear that the entire provision made for the construction of houses under the Low-Income Group Housing Scheme has not been utilized. When the City Improvement Trust and the Corporation of Madras drew up schemes and approached the Government for loan, how is it that the Government refused to comply with all their requests? For instance, the work in Trustpuram in Kodambakkam has been held up for want of help from the Government?

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THE HON. SRI M. BHAKTAVATSALAM : About this specific question, I would like to have notice. But I may tell him that this Government have been liberally extending its aid and also the aid given by the Government of India for construction of houses, to the City Improvement Trust and other organizations. The Government have to find funds also for the construction of houses in the rural areas also.

SRI S. RAMALINGAM : What are the difficulties experienced by the Government in utilizing the full allotment and what are the measures taken by the Government to overcome those difficulties?

THE HON. SRI M. BHAKTAVATSALAM : The difficulties experienced by the Government are the difficulties met with by the co-operative house construction societies in rural areas and also by the local bodies.

SRI M. PALANIYANDI : வீடு கட்டும் திட்டத்தில் நமது சென்னை அரசாங்கம் மிகுமாக இருக்கிறது என்று பாராளுமன்றத்தில் காங்கிரஸ் அங்கத்தினர்களும், மற்ற உறுப்பினர்களும் பல தடவை பேசி வருகிறார்கள். இது கனம் மந்திரி அவர்களுக்குத் தெரியுமா? அப்படியானால், நமது அரசாங்கம் குறைந்த வருமான வகுப்பு மக்களுக்கு வீடு கட்டிக்கொடுக்கும் திட்டத்திலும் இண்டஸ்ட்ரியல் ஹவுஸிங் திட்டத்திலும் ஏன் அதிக அக்கறை காட்டக்கூடாது? அப்படிச் செய்து கட்டத் தொழிலாளர்களுக்கும் பண உதவி அளிப்பார்களா என்றும் கேட்கக்கொள்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : இந்த சட்டசபைக்கு வெளியே உள்ள அபிப்பிராயங்களைப்பற்றி நான் அதிகமாக கவனிப்பதில்லை, கருதுவதில்லை. கனம் அங்கத்தினருக்கு மீண்டும் சொல்கிறேன். “இது விஷயத்தில் கனம் அங்கத்தினருக்கு எவ்வளவு கவலை இருக்கிறதோ அவ்வளவு கவலை இந்த அரசாங்கத்திற்கும் இருக்கிறது. சர்க்கார் எல்லா நடவடிக்கைகளும் எடுத்துக்கொண்டுதான் வருகிறது.”

9-10
a.m.

SRI S. DAIVASIGAMONEY : Sir, the Hon. Minister may be aware that it is impossible for the persons drawing low-income to construct houses of their own. May I know from the Hon. Minister whether the Government have got any proposal or intention to construct blocks of houses for housing these low-income groups?

THE HON. SRI M. BHAKTAVATSALAM : The Government consider that it is not a practical proposition so far as the rural areas are concerned. I may also tell the hon. Member that in those rural parts in the National Extension areas, people had come forward and taken advantage of the fifty per cent aid extended by the Government by way of loan. They have even been constructing houses costing five hundred to seven hundred rupees or even one thousand rupees.

SRI V. BALAKRISHNAN : Sir, will this Government at least increase the slab of loan advanced to Non-Gazetted Officers to enable them to utilize fully the grants given by the Government of India?

THE HON. SRI M. BHAKTAVATSALAM : Notice, Sir.

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SRI V. R. KRISHNA AYYAR : Sir, several municipalities have been asking for loans for putting up houses for lower-income groups in many places, including for instance the Tellicherry Municipality, of which I have definite information. Would the Government for Heaven's sake take a liberal and quick decision in this matter?

THE HON. SRI M. BHAKTAVATSALAM : We do not know the requirements of Heaven. (Laughter.) The Government not only do take a liberal attitude, but they are quite anxious that local bodies should be enabled to construct houses. But when the Government decide on the question of the quantum of loan to the local bodies, they have also to examine the capacity of the local bodies to repay the loan.

SRI T. C. NARAYANAN NAMBIAR : Sir, as far as my information goes, Narath village panchayat and Pappinisseri village panchayat, which come under the National Extension Scheme of Taliparamba, have applied for aid to the Government for constructing some houses for the poor Harijans whose houses were demolished by the recent floods. May I know whether the Government have conceded their demand and, if not, why not?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member will kindly give notice of a separate question.

SRI A. IYANAR : ஏழைகளுக்கு வீடு கட்டும் திட்டம் ஆரம்பிக்கும் வரை பங்களாக்கள் கட்டுவதற்கு கடன் கொடுப்பதை நிறுத்தி வைக்க அரசாங்கம் உத்தேசிக்குமா?

THE HON. SRI M. BHAKTAVATSALAM : பங்களா கட்டக்கூடிய பெரிய மனிதர்களுக்கு கடன் உதவி செய்யவேண்டுமென்ற பிரச்சினையே இல்லை. ரொம்ப ஏழைகளாக இருப்பவர்கள் வீடு கட்டிக்கொள்வதற்கு வேண்டிய உதவி அளிக்கவேண்டும் என்பதில்தான் அரசாங்கம் தீவிர கவனம் செலுத்திவருகிறது.

SRI R. KRISHNASWAMI NAIDU : கிராமங்களிலுள்ள ஆதாரப் பள்ளி ஆசிரியர்களுக்கு அந்தப் பள்ளிகளை நடத்திவரும் மாணேஜ்மென்டார் நிரந்தரமாக வாசஸ்தலங்கள் கட்டுவதற்கு இந்தத் தொகையிலிருந்து உதவி கேட்டால், மான்யமாகவும் கடனாகவும் அரசாங்கம் உதவி செய்வதற்கு திட்டத்தில் ஏதாவது இடம் இருக்கிறதா?

THE HON. SRI M. BHAKTAVATSALAM : கடன் கொடுப்பதைப் பரிசீலனை செய்யலாம்.

Amber Charka

* 126 Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Government propose to open Amber Charka centres in the State;

(b) if so, the number of Amber Charkas that would be introduced in the State;

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(c) whether the Government have opened any Amber Charka training centres in the State; and

(d) if so, the number and their locations?

THE HON. SRI M. BHAKTAVATSALAM : (a) & (b) A proposal for the introduction of the Amber Charka Scheme is under the consideration of Government.

(c) No. But I may add, Sir, that since the draft answer was prepared, a training centre for spinning in Amber Charka was inaugurated by the President on the 16th August 1956 in Tirumangalam.

(d) Does not arise.

SRI K. P. GOPALAN : May I know, Sir, from the Hon. Minister whether the Government have received any representation from the Community Advisory Board in Payyanur to open an Amber Charka training centre there? If they have received such a representation, will the Government be pleased to consider it?

THE HON. SRI M. BHAKTAVATSALAM : I would like to have notice, Sir. But I may tell the hon. Member that when Government organise a number of training centres, which are called *Parisramalayas*, they will also locate one centre in a suitable area in Payyanur in Malabar district.

SRI S. R. ARUMUGHAM : திருப்பூரிலுள்ள சர்வசேவா சங்கம் அம்பர் சர்க்கா ட்ரெயினிங் ஸென்டர்கள் பல ஆரம்பித்து நடத்திவருகின்றன. அந்த ட்ரெயினிங் ஸென்டர்களுக்கு சர்க்கார் மான்யம் கொடுத்திருக்கிறதா? அப்படியிருந்தால் ஒரு ராட்டைக்கு எவ்வளவு கொடுக்கப்படுகிறது? தவிர, கோயமுத்தூரிலுள்ள டெக்ஸ்டில் இன்டஸ்ட்ரிஸைச் சேர்ந்த ஸ்ரீ பால சுந்தரம் அவர்கள் புதிதாக அம்பர் சர்க்கா ஒன்றைக் கண்டு பிடித்திருக்கிறார். அதைப்பற்றி சர்க்காருடைய முடிவு என்ன?

THE HON. SRI M. BHAKTAVATSALAM : அம்பர் சர்க்காவின் மூலம் நூற்பு பயிற்சி அளிக்க ஏற்பாடு செய்வதுதான் இப்பொழுது கவனிக்கப்பட்டுவருகிறது. ஆகையால், இந்தக் கேள்விகளெல்லாம் அதில் எழவில்லை.

SRI M. NARAYANAN NAMBIAR : When new centres are started will the Government consider the question of starting one centre at Nileshwar, where there is already a khadi centre?

THE HON. SRI M. BHAKTAVATSALAM : The Government are just now examining how many centres should be organized and where they should be located. Therefore I am sorry I am unable to give any assurance where these various centres would be located.

SRI G. GOVINDAN : இராமநாதபுரம் ஜில்லாவில், குறிப்பாக முதுகுளத்தூர் தாலுகாவில் பல பகுதிகள் பிற்போக்கான பிரதேசமாக இருப்பதோடு, அங்கிருப்பவர்கள் பிழைப்புக்கே கஷ்டப்படுகிறார்கள். அப்படிப்பட்ட இடங்களில் அம்பர் சர்க்கா ட்ரெயினிங் ஸென்டர் ஒன்றை வைப்பதற்கு அரசாங்கம் கவனிப்பார்களா?

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THE HON. SRI M. BHAKTAVATSALAM : ஒரு பிரதேசத்திலுள்ள வறுமையை மட்டும் கணக்கில் கொண்டு ட்ரெயினிங் ஸென்டர் ஆரம்பிப்பதற்கு இல்லை. நூற்பதற்கும் அங்குள்ள மக்கள் தயாராக இருக்க வேண்டும்.

SRI T. S. ARDHANARI : அம்பர் சர்க்காவை நம்முடைய மாகாணத்திலே வைப்பதற்கு எவ்வளவு செலவு செய்ய சர்க்கார் உத்தேசித்திருக்கிறது? அதன் மூலம் எத்தனை பேர்களுக்கு வேலை கொடுக்கமுடியும் என்று சர்க்கார் நம்புகிறது என்று மந்திரி அவர்கள் தெரிவிப்பார்களா?

THE HON. SRI M. BHAKTAVATSALAM : இந்த வருஷத்தில் மொத்தம் 75,000 அம்பர் சர்க்காக்களை ஏற்படுத்துவது என்று அகில இந்திய காதி போர்டிலே முடிவு செய்ததை, மத்திய அரசாங்கமும் ஏற்றுக் கொண்டிருக்கிறது. குறைந்தபட்சம் இருபது ஆயிரம் ரூபாய் அம்பர் சர்க்காவாகிலும் இந்த ராஜ்யத்தில் ஏற்பாடு செய்யலாம் என்றுதான் அரசாங்கம் கருதுகிறது. எவ்வளவு செலவாகும் என்பதற்கு தகவல் என்னிடம் இப்போது இல்லை.

DR. K. B. MENON : I understand that Amber Charka is very expensive. Have the Government any scheme for subsidizing or even giving Amber Charkas on instalment payments?

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir. Government do have such a scheme.

SRI K. VINAYAKAM : Sir, what is this Amber Charka? Is it not a fact that there is considerable difference of opinion over the utility of this Amber Charka? Is it not a fact that handloom weavers in rural areas, who depend upon spinning for their living, will be affected by the introduction of this Amber Charka?

THE HON. SRI M. BHAKTAVATSALAM : I am unable to understand how the introduction of Amber Charka will affect handloom weavers. If the hon. Member is really interested in being educated about the possibilities of Amber Charka, I can arrange for that.

SRI M. NARAYANA KURUP : Sir, the Hon. Minister has stated that the centres, where this Amber Charka is to be introduced, are under consideration. What are the fundamental principles that would guide the Government in the opening of these centres? Have any directives or has any opinion of the Central Government been received in this behalf?

THE HON. SRI M. BHAKTAVATSALAM : I do not think, Sir, the Government are having any directives from the Central Government. The Government will take up suitable areas in the Intensive Khadi Centres.

SRI T. C. NARAYANAN NAMBIAR : May I know, Sir, whether the Government have got any scheme in contemplation as far as the basic education centres are concerned, where charka and takli are intensively used and whether the Government have got a plan to give training in Amber Charka to students who have an inclination towards the same?

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THE HON. SRI M. BHAKTAVATSALAM: I have already stated that the Government have not yet finalized their plans for the introduction of Amber Charkas on a large scale.

SRI S. PANCHAKSHARAM: Will the Government consider the desirability of introducing Amber Charka in areas where unemployment and under-employment are prevailing in a large measure?

THE HON. SRI M. BHAKTAVATSALAM: Sir, I have already answered in Tamil that mere poverty and mere unemployment would not be the sole criteria for selecting suitable centres for the introduction of Ambar Charka. There must be the proper atmosphere for hand spinning.

SRI S. DATASIGAMONEY: May I know from the Hon. Minister whether the thread spun from this Amber Charka would be like the one spun from the ordinary charkas? Would the count and the quality of the thread be the same as that used in the khadi cloth?

THE HON. SRI M. BHAKTAVATSALAM: Sir, it has been examined and estimated that Amber Charka can produce better quality yarn at cheaper prices. Thereby, the price of khadi would also be cheaper.

SRI M. NARAYANA KURUP: Sir, the Hon. Minister for Commerce and Industry in the Union, Mr. T. T. Krishnamachari, who is responsible for this and who is the Centre's guide, has stated that Amber Charka centres will be located in cotton-growing areas. Is this correct, Sir?

THE HON. SRI M. BHAKTAVATSALAM: This also will be taken into account before Government decide on the number of centres to be opened.

Residents of Minicoy Islands

9-20
a.m.

* 127 Q.—**SRI N. K. PALANISAMY:** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have issued any orders against nine residents of Minicoy Islands during the year 1955 prohibiting them from visiting or taking up their residence in that island; and

(b) if so, the reasons therefor?

THE HON. SRI B. PARAMESWARAN: (a) Yes, Sir. But these orders have been set aside by the High Court.

(b) The Government considered that in the interests of law and order in the islands and to maintain harmony among the islanders, it was desirable and necessary to prohibit the entry of these nine mainlanders to the islands.

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SRI N. K. PALANISAMY : May I know whether the Government have at least attempted to settle them down and whether the Government have warned them before they were deported from the islands?

THE HON. SRI B. PARAMESWARAN : All possible steps to establish harmony and goodwill there have been taken.

SRI V. R. KRISHNA AYYAR : Sir, the fact appears to be that the Inspecting Officer, that is, the Collector of South Kanara, went there and he was told by the Amin who appears to be the dictator in the island that those people were mischievous. Straightaway the Collector seems to have asked them to get into the boats and deported them from the island thus separating them from their wives and children. Now that the High Court has set aside the order, will the Government closely examine the whole question instead of the arbitrary and capricious order being endorsed?

THE HON. SRI B. PARAMESWARAN : It is not arbitrary. The Inspecting Officer, after due enquiry found that those people were dangerous to the island itself. Therefore, he recommended that they should be prohibited from entry into the island. But since the show-cause notice was not given to them, the High Court ordered that proper procedure should be adopted in the matter of prohibiting them. The Government are now taking such procedure. After taking such procedure as is necessary, they will be certainly prevented from entering the island.

SRI V. R. KRISHNA AYYAR : Those people have been taken away from their wives and children for two years, on account of the order of the Government. Now that the High Court has set aside the order stating that it violated the principles of natural justice, will the Government see that they are restored to their wives and children at an early date?

THE HON. SRI B. PARAMESWARAN : As I said earlier, the necessary procedure will be adopted.

SRI T. C. NARAYANAN NAMBIAR : May I know whether the Government will be kind enough to take some interim measures with regard to the families of the people who are separated from their wives and children? That is, I want to know whether their wives and children will be brought to the places where those people live at present and some family allowance and other facilities will be given to them so that they may once again enjoy their family life?

THE HON. SRI B. PARAMESWARAN : The Government do not propose to allow them to enter into the island. So, the question of granting them any subsidy or allowance or anything of the sort does not arise.

SRI T. C. NARAYANAN NAMBIAR : Sir, I am sorry the Hon. the Minister has not understood my question. If the Government

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are not in a position to allow those people to enter the island, may I know whether the Government will take their wives and children to the place where they are living at present?

THE HON. SRI B. PARAMESWARAN: That will be examined, Sir.

SRI C. H. KANARAN: The Hon. Minister said that those people were dangerous to the island. May I know what is meant by "dangerous"?

THE HON. SRI B. PARAMESWARAN: They were meeting lot of trouble, they were inciting people to work against the very Constitution itself. Their presence in the islands was, therefore, considered dangerous. More than this, I cannot be going on explaining what is meant by "dangerous".

Trawlers

* 128 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any trawlers have been brought by the Government during the year 1956 for fishing in the deep sea; and

(b) if so, the number and cost of each?

THE HON. SRI M. BHAKTAVATSALAM: (a) The answer is in the negative.

(b) Does not arise.

Seeds and manure loans to ryots

* 129 Q.—SRI M. KALYANASUNDARAM: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the reasons for transferring from Agriculture Department to Revenue Department the powers of granting seeds and manure loans to ryots; and

(b) whether the change-over is permanent or temporary?

THE HON. SRI M. BHAKTAVATSALAM: (a) The work of grant of loans for the purchase of seeds and manures was transferred from Agricultural Department to Revenue Department for the following main reasons:—

(i) Granting of these loans does not need any expert knowledge in agriculture and the machinery in the Revenue Department is better suited to conduct enquiries more thoroughly and to make collections more promptly,

(ii) It is desirable to divest technical officers of the Agricultural Department of normally non-technical work, such as granting of loans so that they can devote more attention to Agricultural extension work.

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(b) The change-over has not yet been made permanent. The working of the system for the past one year has been reviewed and as it is satisfactory, it is proposed to continue the system on a permanent basis.

SRI V. R. NAGARAJAN: After the change-over from the Agriculture Department to the Revenue Department, have the Government noticed any improvement in the matter of granting of these loans? May I also know whether the delay that was formerly observed has been removed now?

THE HON. SRI M. BHAKTAVATSALAM: According to the report of the Board of Revenue, this experiment has been quite satisfactory. I have been, however, hearing individual complaints from the ryots that this is not as satisfactory as the previous arrangement. Since the answer to this question was drafted, the present Director of Agriculture has also mentioned to me his own view after enquiry at various places, namely, that it would be better to revert to the Agriculture Department. The Government will again go into this question when the report of the Director of Agriculture is received.

SRI M. KALYANASUNDARAM: Even with regard to the grant of these loans, some expert knowledge is necessary. For instance, the Revenue authorities insist on taking the ammonium sulphate for the whole amount of the loan. If only they had some knowledge of Agriculture, they would not insist on a ryot owning three acres of land to take ammonium sulphate for Rs. 120. This is how the matter is being handled by the Revenue authorities. In view of all these difficulties, may I ask the Government to take immediate steps to retransfer this work to the Agriculture Department?

THE HON. SRI M. BHAKTAVATSALAM: Sir, the Government will examine the position and the suggestion given by the hon. Member and take a decision.

SRI P. B. K. RAJACHIDAMBARAM: As the Revenue authorities require the ryots to walk a long distance to get the loan sanction orders and as a result of this considerable hardship is being caused to the poor ryots, will the Government be pleased to order the concerned authorities to go to the village and give these loan sanction orders to the ryots?

THE HON. SRI M. BHAKTAVATSALAM: Yes, Sir. The Government will also look into the suggestion made by the hon. Member.

SRI M. DHARMALINGAM: I am definite that the Revenue Department is very much overworked already. Consequent on the transfer of this subject also to the Revenue Department, they will get some more work. So, may I know whether the Government have sanctioned any special staff for taking prompt and systematic action in the matter?

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THE HON. SRI M. BHAKTAVATSALAM : I do not know which department is more overworked than the other. The Government will go into all these aspects and criticisms and then take a decision. Wherever it is found necessary, whether it is in the Revenue Department or in the Agriculture Department, the Government do sanction special staff.

SRI P. SELVARAJ : Since the Revenue Department is expected to attend to multifarious activities, will the Government come forward to open depots in each block for the purpose of supplying seeds and manure?

THE HON. SRI M. BHAKTAVATSALAM : That is a separate question. That is being looked into every now and then.

SRI T. C. NARAYANAN NAMBIAR : Consequent on the change-over from the Agriculture Department to the Revenue Department, a lot of difficulties have been caused to the agriculturists. Representations have been made from the Taliparamba National Extension Service Block in this matter. The Revenue Department have selected certain places for the distribution of manure. The National Extension Service Department deduct a certain percentage say, 25 to 40 per cent, from the loan. As the areas for development have not been properly selected, there is lot of difficulty for the agriculturists. They do not get the loan in full. Will the Government see the representations of the agriculturists in the matter and take proper measures to see that the agriculturists got the full loan, part of it as manure and the other part in cash?

THE HON. SRI M. BHAKTAVATSALAM : I would like to suggest to the hon. Member to prepare a short note in the matter and pass it on to me so that I could look into it and take necessary action.

9-30
a.m.

SRI V. BALAKRISHNAN : Is it not a fact that the revenue officials are in a better position to check up facts and assess the work done by the ryots and they cannot be easily cheated as the officials of the Agriculture Department. Therefore, will the Government continue this wholesome practice?

THE HON. SRI M. BHAKTAVATSALAM : I do not know who is cheated worse and who is cheated better. That is also one aspect of the question taken into account when the decision was taken to entrust that part of the work with the Revenue Department.

SRI S. RAMALINGAM : விவசாய இலாகாவில் கடன்கள் கொடுக்கப்பட்டு வந்த போது கூட்டுப்பட்டாதார்களுக்கும் கடன்கள் கொடுக்கப்பட்டு வந்தன. இப்போது ரெவின்யூ இலாகாவிற்கு இந்தப் பொறுப்பை மாற்றிய பிறகு ரெவின்யூ அதிகாரிகள் கூட்டுப்பட்டார்களுக்குக் கடன் கொடுக்க மறுக்கிறார்கள். மேலும், தக்காவிக் கடன்கள் கொடுக்கும்போது எந்த எந்த முறைகளில் விசாரணை செய்யப்படுமோ அந்தந்த முறைகளையெல்லாம் இந்தக் கடன்கள் கொடுக்கும்போது கையாண்டு வருகிறார்கள் ; அதன் காரணமாக காலதாமதம் ஆகிறது. இந்தக் கஷ்டங்களைப் போக்குவதற்கு சர்க்கார் தக்க நடவடிக்கை எடுப்பார்களா ?

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THE HON. SRI M. BHAKTAVATSALAM : கடன்கள் கொடுப்பதற்கு விசாரணைகள் செய்யும் முறைகளில், எந்த இலாகா கடன்கள் கொடுக்கும் பொறுப்பை ஏற்றுக்கொண்டாலும், வித்தியாசம் கிடையாது. கடன்கள் கொடுப்பது சம்பந்தமாக என்ன விதிகள் இருக்கின்றனவோ, அந்த விதிகளுக்கு உட்பட்டுத்தான் கடன்கள் கொடுக்கப்படும்.

SRI M. PALANIYANDI : இந்தக் கடன்கள் விவசாய இலாகாவால் கொடுக்கப்பட்டு வந்த காலத்தில், ஒவ்வொரு தாலுகாவிலும் ஒரு இலக்கு அமைக்கப்பட்டு அங்கே விவசாய டெமாண்ட்ஸ்டிரேட்டர்களால் கடன்கள் கொடுக்கப்பட்டுவந்தன. இப்போது ரெவின்யூ இலாகா இந்தக் கடன்களைக் கொடுத்துவருவதில் பல கஷ்டங்கள் இருக்கின்றன. ஆனால் விவசாய டெமாண்ட்ஸ்டிரேட்டர்கள் கொடுக்கவேண்டுமென்றால், அப்போது தாவரப் பூச்சிகளைக் கொல்வது போன்ற தங்கள் டெக்னிகல் வேலைகளை டெமாண்ட்ஸ்டிரேட்டர்கள் சரிவரச் செய்யமுடிவதில்லை. இருந்தாலும் கூட, விவசாய டெமாண்ட்ஸ்டிரேட்டர்களையே டெக்னிகல் வேலைக்கு இடைஞ்சல் இல்லாமல் விவசாயிகளுக்குக் கடன்கள் சீக்கிரம் கிடைக்கும்படி செய்வதற்காக, டெமாண்ட்ஸ்டிரேட்டர்களின் கீழ் சில சிப்பந்திகளை நியமித்து, விவசாய இலாகாவின் மூலமாகவே கடன்கள் கொடுப்பதற்கு அரசாங்கம் ஏற்பாடு செய்யுமா?

THE HON. SRI M. BHAKTAVATSALAM : The Government will take into account all the views expressed by hon. Members of this House particularly and they will take a decision by going into all aspects of the matter.

SRI M. KALYANASUNDARAM : Let the Government take their own time to decide the question whether this work should be handled by the Revenue Department or the Agriculture Department. But the urgent problem is that the ryots are not able to avail themselves of these loan facilities because the Revenue authorities insist that for the whole loan amount they should take ammonium sulphate or any other manure that is available with the Revenue Department. May I request the Government to issue immediate instructions to the Revenue authorities to grant this loan partly in cash and partly in kind so that the ryots will be left with some amount to get the manure that he particularly needs?

THE HON. SRI M. BHAKTAVATSALAM : The Government will look into the matter. They are also anxious that whatever loan is secured by the ryots, is fully utilised for agricultural development and not for private purposes.

SRI P. VENKATESHA SHOLAGAR : கனம் மந்திரி அவர்கள், கடன்கள் கொடுப்பதற்கு முன்பு எப்படி எப்படி யெல்லாம் விசாரணை செய்யப்படுமோ அப்படியெல்லாம் விசாரணை செய்யப்படும் என்று கூறினார்கள். இதுவரை கடன்கள் கொடுக்கப்பட்டு வந்த சமயங்களில் எல்லாம், நிலம் கூட்டுப் பட்டாவாக இருக்கிறதா என்று கவனிக்கப்படவில்லை; விண்ணப்பதாரி நிலத்தின் சொந்தக்காரரா என்பதுதான் கவனிக்கப்பட்டது. இப்போது நிலம் கூட்டுப் பட்டாவாக இருக்கிறதா என்று விசாரிக்கப்படுகிறது. மேலும் இப்போது நிலக்காரர்களுக்குக் கொடுக்கப்படும் கடன் தொகை மிகக்குறைவாக இருக்கிறது; சாகுபடியாளர்களுக்கும் கடன்கள் கொடுக்கவேண்டும் என்று சர்க்கார் யோசித்துக்கொண்டிருக்கிறது; சிறிப நிலக்காரர்களுக்கு கடன் கிடைப்பது மிகவும் கஷ்டமாக இருக்கிறது. ஆகவே அதிகமாகத் தேவையுள்ளவர்களுக்கு அதிகமாகக் கடன் கொடுப்பதற்காக, ரெவின்யூ இலாகாவுடன் சர்க்கார் பேசி நடவடிக்கை எடுப்பார்களா?

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THE HON. SRI M. BHAKTAVATSALAM : அரசாங்கம் இதைப் பற்றி பரிசீலனை செய்து தக்க நடவடிக்கை எடுக்கும்.

MR. SPEAKER : I am extending the question-time till the rest of the questions are answered as to-day is the last day.

Gramasevaks training

* 130 Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether there was any selection of candidates for training for the posts of Gramasevaks at the Gramasevaks' Training Centre at Taliparamba on the 28th, 29th and 30th June 1956;

(b) the names of the members of the Selection Board;

(c) the number of applications received for this training and the number selected; and

(d) the minimum qualifications prescribed for this post?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, on the 28th and 29th June 1956.

(b) 1. Additional Development Commissioner.

2. Joint Development Commissioner.

3. Assistant Development Commissioner (Training).

4. Collector of Malabar.

5. Srimathi M. Kuttimalu Amma.

(c) Number of applications received 1,065. Number selected 80.

(d) Completed S.S.L.C.

SRI K. P. GOPALAN : The Hon. Minister has just stated that representation has been given to a particular political party in the Selection Board. In view of that, will the Government consider the desirability of giving representation also to the other political parties or people who are interested in that work?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member would have seen from the answer I have given that only one non-official has been included in that Board. That non-official was appointed not because she represented a particular party but because some non-official interested in the National Extension work was thought of and she was chosen.

SRI V. BALAKRISHNAN : Is it a fact that the morning and evening beverage of the Gramasevaks at these Centres is only milk and nothing but milk. If so, is the Hon. Minister aware that it is a costly drink in view of the fact that even the God-given water is not available in many parts of the State?

THE HON. SRI M. BHAKTAVATSALAM : I have no information, Sir.

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SRI O. KORAN : May I know the number of Harijans selected as Gramasevaks?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member may put a separate question.

SRI M. NARAYANA KURUP : When these posts of Gramasevaks were taken outside the purview of the Public Service Commission, the Hon. Minister stated that one of the reasons was that they required special aptitude on the part of the employees. Did the Government give any general direction as to the nature of the choice and the qualifications of special aptitude in respect of these appointments?

THE HON. SRI M. BHAKTAVATSALAM : No specific instructions were given but only general instructions were given.

SRI K. P. GOPALAN : Are the Government aware that one of the tests given to the applicants for the posts of Gramasevaks is the running of six miles on mountainous roads and on one occasion an applicant sustained injuries while running. If so, is it done according to the instructions of the Government or according to the instructions of the officers concerned on the spot?

THE HON. SRI M. BHAKTAVATSALAM : I am quite certain that the Government have not issued any such instructions. But regarding what actually happened, I would like to have notice.

Gambling shows

* 131 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Finance be pleased to state—

(a) whether Government have received any complaints about alleged gambling shows at the Ootacamund Flower Show;

(b) whether Government have received any complaints that gaming at cards is going on in gentlemen's clubs all over the State; and

(c) if so, whether any action has been taken thereon?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) The answer is in the negative.

(c) Does not arise.

SRI V. R. KRISHNA AYYAR : Are the Government aware that in most of these clubs visited by luxurious gentlemen, the main activity is gambling under the guise of playing cards. At the same time if the same thing is indulged in by the poor people in a place fifty yards away, they will be marched to the nearest police court. Therefore, in the name of austerity and ethics, will the Government put an end to that kind of gambling going on in these clubs?

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THE HON. SRI C. SUBRAMANIAM : I do not know whether the hon. Member has any personal experience of it. As far as I know, there is cardsplay going on in all these clubs. I do not know whether they indulge in gambling.

SRI M. PALANIYANDI : கனம் நிதி அமைச்சர் அவர்கள் இந்த மாதிரியான கிளப்புகளுக்குப் போகாமல் இருந்திருக்கலாம். ஆனால், நாங்கள் கேள்விப்பட்டவரையில், பல கிளப்புகளில் நூற்றுக்கணக்கான ரூபாய்களுக்கும், ஆயிரக்கணக்கான ரூபாய்களுக்கும் சூதாட்டம் நடந்து வருவதாகத் தெரிகிறது. இதன் காரணமாக பலர் பணம் இழந்தும் வருகிறார்கள் என்றும் தெரிகிறது. சர்க்கார் இது விஷயமாக விசாரணை செய்து நடவடிக்கை எடுத்து இந்த சூதாட்டங்களை கட்டுப்படுத்துமா ?

THE HON. SRI C. SUBRAMANIAM : கனம் அங்கத்தினருக்கு இந்தக் கிளப்புகளைப்பற்றி ஏதாவது நேரிடையாகத் தெரிந்திருந்தால் அந்தத் தகவலை எனக்குக் கொடுக்கலாம். அப்படித் தகவல் கொடுத்தால், அது பற்றி விசாரிக்கப்பட்டு நடவடிக்கை எடுக்கப்படும்.

SRI S. PANCHAKSHARAM : Is it not necessary that a club should be declared a gambling house before taking action against that club under the gambling offence?

THE HON. SRI C. SUBRAMANIAM : No, Sir. According to the recent decision, what is laid down is that if the club has received any commission for its premises being used for the purpose of gambling, then it may be called a gambling house. But if the club premises is used for the purpose of playing cards without stakes, then it would not be called a gambling house. The question is not so important that it is necessary to bring forward any amending legislation for that purpose. But if hon. Members feel that there is a case for it, I would like to have further information about it.

SRI S. DAIVASIGAMONEY : Human nature being what it is, it is but natural that one would like vent to his gambling instinct occasionally. So, will the Hon. Minister see that at least on certain festive occasions like the flower show gambling plays are encouraged?

THE HON. SRI C. SUBRAMANIAM : I do not think that the Government can take the advice of the hon. Member and adopt that as the policy.

9-40 a.m. SRI V. R. KRISHNA AYYAR : The main question has two aspects. One relates to the kind of fanfare that we see in some of the important and officially sponsored occasions like the Ootacamund Flower Show which is quite different from gambling, and that kind of fanfare. The other aspect relates to indulging, mostly or completely in clubs, in gambling in the name of playing Rummy, day in and day out, and it is also known that there is no pep in playing that game without money. Would the Hon. Minister, in the name of morality and setting an example, see that police officials and other higher officials do not indulge in clubs in these games?

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THE HON. SRI C. SUBRAMANIAM : As far as the shows organized during the Flower Show and on other occasions are concerned, there is a difference between what are known as games of skill and games of chance. Only games of skill are permitted and games of pure chance are not permitted at all. Of course, the difference might be thin in certain cases. Still, to the best of their judgment they try to see that only games of skill are permitted there. But with reference to the suggestion made in regard to the clubs, I am afraid that the hon. Member's suggestion that police and other officials are participating in what is called playing cards with stakes, I do not think there is any substance or basis behind that allegation. But anyhow if the hon. Member should give some further information about it, if necessary, the Government would consider any proposal to restrict these activities even in clubs.

Emergency recruitment to Indian Administrative Service

* 132 Q.—**SRI N. K. PALANISAMY** : Will the Hon. the Minister for Finance be pleased to state the number of officials of the State Government recruited for Indian Administrative Service under the Government of India's emergency recruitment scheme during the year 1956?

THE HON. SRI C. SUBRAMANIAM : This can be known only when appointments to the Service are notified. The State Government have no information on this yet.

SRI N. K. PALANISAMY : May I know whether the Government have received any communication from the Central Government for the selection of Indian Administrative Service Officers and if so, whether the applications of officers drawing more than Rs. 300 as salary would be considered?

THE HON. SRI C. SUBRAMANIAM : Applications have been received and I think the Selection Committee had its sitting in Madras also. But we have not received any information regarding the selections made.

SRI A. M. RATHNASWAMY : When this emergency recruitment to Indian Administrative Service is made by the Government, may I know whether any special consideration would be shown to officials belonging to the Harijan Community inasmuch as the quota set apart for the Harijans in the Indian Administrative Service cadre is too meagre? Would the Government therefore deem it necessary and advisable to see that at least the quota set apart for the Harijans in the Indian Administrative Service cadre is being filled in by members of the Harijan Community?

THE HON. SRI C. SUBRAMANIAM : I think this question dealing with the recruitment to the All-India Services should be put in the Lok Sabha as the policy will have to be laid down by the Government of India.

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SRI M. PALANIYANDI : மத்திய அரசாங்க ஊழியர்களுக்கும், சென்னை அரசாங்க ஊழியர்களுக்கும் சம்பள விவரத்தில் வித்தியாசம் இருக்கிறது. அதேபோல் கெஜட் பதிவுள்ள அதிகாரிகள் விஷயத்திலும், சென்னை ராஜ்யத்தில் கெஜட் பதிவுள்ள அதிகாரிகள் 300 ரூபாய் சம்பளம் வாங்கிக்கொண்டிருந்தால், இதே சம்பளத்தை கெஜட் பதிவில்லாதவர்களை மத்திய சர்க்காரிலுள்ளவர்கள் வாங்கிக்கொண்டிருக்கக்கூடிய நிலைமை இருக்கிறது. ஆகவே, இப்படிப்பட்ட தாரதர்யத்தைக் சீரமைப்பதற்கு அரசாங்கம் உடனடியாக நடவடிக்கை எடுத்துக்கொள்வார்களா? மேலும், இந்தியன் அட்மினிஸ்ட்ரேடிவ் ஸர்வீஸ் உத்தியோகத்திக்கு நபர்களைத் தெரிந்தெடுக்கும்போது மாகாணத்திலிருந்து வருபவர்களுக்கு போதுமான பிரதிநிதித்துவம் கொடுக்கப்படவேண்டும். திறமையின்படிதான் தெரிந்தெடுக்கப்படுகிறதென்றாலும், மாகாணத்திலிருந்து வருபவர்களுக்குப் போதுமான பிரதிநிதித்துவம் கொடுக்கப்படவேண்டுமென்று நமது சர்க்கார் மத்திய சர்க்காருக்கு சிபார்சு செய்திருக்கிறார்களா என்று அறிய விரும்புகிறேன்.

THE HON. SRI C. SUBRAMANIAM : முதலிலே போட்ட கேள்வி இந்த மூல கேள்வியிலிருந்து எழவில்லை. இரண்டாவது, நான் சொன்ன வாசனிகள் எல்லாவற்றையும் கேட்டுக்கொள்ள இரொழுது எந்த முறையில் இதுயன் அட்மினிஸ்ட்ரேடிவ் சர்வீசுக்கு, இந்தியன் போலீஸ் சர்வீசுக்கும், மற்றும் அகில இந்திய சர்வீசுக்கும் ஆட்கள் பொறுக்கி யெடுக்கவேண்டும் என்பதைப்பற்றி அவர்கள் கொள்கை நிர்ணயித்திருக்கிறார்கள். அதில் ஏதாவது மாறுதல் செய்யவேண்டுமென்றால், இப்பொழுது அதை யோசிப்பதற்கு சமயம் இல்லை.

Betting on New York Cotton Prices

* 133 Q.—**SRI A. RATNAM :** Will the Hon. Minister for Finance be pleased to state the number of persons arrested by the police for alleged betting on New York Cotton prices and the amount seized from them from January to May 1956 in—

- (i) the Madras City and
- (ii) in the State (rest of the State excluding the Madras City)?

THE HON. SRI C. SUBRAMANIAM :

Number of persons arrested.	Amount seized.		
	RS.	A.	P.
(i) 1,794	6,132	1	3
(ii) 893	4,740	8	6

SRI V. R. KRISHNA AYYAR : May I know in the view of the Government who is better—the speculator who bets on cotton or the Government servants who bet on a game of rummy?

THE HON. SRI C. SUBRAMANIAM : I am not here to answer hypothetical questions. I suppose the hon. Member may decide it for himself who is better or who is worse.

MR. SPEAKER : Questions Nos. 134 and 135 will be taken up together as they relate to the same subject.

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Service condition of beedy workers

* 134 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether this Government received any report from the Special Officer appointed to go into the service conditions of beedy workers; and

(b) if so, the details thereof?

THE HON. SRI M. BHAKTAVATSALAM: (a) Yes, Sir.

(b) The report together with the orders of the Government on the recommendations of the special officers will be printed and placed on the table of the House in due course.

* 135 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state with reference to the answer given on 7th March 1956 to a supplementary question on question No. 3312—

(a) whether the Special Officer appointed by the Government to enquire into the conditions of the beedy industry and beedi workers in the State has submitted his report to the Government; and

(b) if so, whether the Government will place a copy of the report on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM: (a) & (b) The attention of the hon. Member is invited to the answer given to Question No. 134 by Sri N. K. Palanisamy, M.L.A.

SRI K. P. GOPALAN: May I know whether the Hon. Minister is in a position to convey to the House some of the recommendations made by the Special Officer who was appointed to go into the services conditions of beedi workers? May I also know when the Government are going to bring forward legislation, based on the recommendations made by the Special Officer? The Hon. Minister gave an assurance on the floor of the House that he would be bringing in some legislation in that connection. I would request the Hon. Minister to have a special sitting of the Assembly if necessary for considering such a legislation as early as possible.

THE HON. SRI M. BHAKTAVATSALAM: I have no personal knowledge about the contents of this report. The recommendations have been forwarded to the Commissioner of Labour for his comments. As soon as his comments are received, the Government will go into the question of the action to be taken, particularly about the legislation that should be undertaken. But, I am not sure whether it will be possible to introduce this legislation before 1st November.

SRI N. K. PALANISAMY: When the enquiry conducted by Sri Natarajan, Special Officer appointed to go into the service conditions of beedi workers was proceeding, big beedi factory

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owners in Vellore, Gudiyatham and Vaniambadi formed themselves into an association and forced other beedi factory owners to adopt the branch system with a view to evading the provisions of the Factories Act? May I know whether the Government will take steps to see that such torpedoing of the provisions of the Act is prevented?

THE HON. SRI M. BHAKTAVATSALAM : The hon. Member may put a separate question.

SRI M. PALANIYANDI : பீடித் தொழிலில் கணிசமான அளவுக்கு தொழிலாளர்கள் வேலைக்கு நியமிக்கப்பட்டிருக்கிறார்கள். பீடித் தொழிலாளர்களுடைய ஊதிய நிலைமையைப் பரிசீலித்து சர்க்காரிடம் ரிபோர்ட்டு சமர்ப்பித்திருப்பதாகச் சொல்லப்படுகிறது. குறைந்தபட்ச ஊதிய (மாகாண) போர்டிலே கூட அவர்களுக்கு ஊதியம் நிர்ணயிப்பதில் சட்ட சம்பந்தமாக கிராமம் இருப்பதாகத் தெரிவதால், மேற்கண்ட ரிபோர்ட்டை வெளியிடுவதற்கும், பீடித் தொழிலாளர்களுக்கு நல்லதொரு சம்பள விகிதத்தை நிர்ணயிப்பதற்கும் அரசாங்கம் சட்டம் கொண்டுவருவதற்கு மந்திரி அவர்கள் முடிவு செய்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : இதன்பற்றி முடிவான நடவடிக்கை எடுத்துக்கொள்வதில் தவிர்க்கக்கூடிய தாமதம் ஒன்றும் இராது என்று கனம் அங்கத்தினருக்கு தெரிவித்துக்கொள்கின்றேன்.

Establishment of industrial estates

* 136 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any industrial estates have been established in the State for stimulating the growth of small industries; and

(b) the amount allotted for the same?

THE HON. SRI M. BHAKTAVATSALAM : (a) The Government are taking steps to establish Industrial Estates at Guindy and Virudhunagar and Small Industrial Estates at Palghat and Erode to stimulate the growth of small industries.

(b) The estimated expenditure on account of the establishment of these estates is as follows:—

	RS.
Industrial Estate, Guindy	51,40,461
Industrial Estate, Virudhunagar	21,23,088
Industrial Colony, Palghat	11,36,009
Industrial Colony, Erode	6,89,589

The Government of India have agreed to sanction the entire amount as a loan to this Government.

SRI N. K. PALANISAMY : May I know whether these industrial estates have been set up and whether they are functioning?

THE HON. SRI M. BHAKTAVATSALAM : All preliminary steps have been taken to establish these industrial estates. I may tell the hon. Member that no industrial estate has yet started functioning.

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SRI T. C. NARAYANAN NAMBIAR : May I know whether tin-making industry is also included among the small-scale industries which are included in the industrial estate schemes in Palghat? May I also know whether the Government have received any special representation from one Mr. Haneefa, Municipal Councillor, Palghat Municipality, in that connexion?

THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. Member that there will be no difficulty in getting the tin-making industry covered under the industrial estate schemes in Palghat.

Exploratory work re artesian springs

* 137 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Agriculture be pleased to state whether any exploratory work has been conducted during the year 1956 to locate artesian springs in the districts? 9-50 a.m.

THE HON. SRI M. BHAKTAVATSALAM : No, Sir.

Conditions of sweet toddy-tappers

* 138 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state the steps proposed to be taken by the Government to improve the conditions of sweet-toddy tappers under the Second Five-Year Plan?

THE HON. SRI B. PARAMESWARAN : Under the Second Five-Year Plan, the following steps are proposed to be taken for improving the conditions of ex-toddy tappers in the State under the Palm Gur Development Scheme :—

- (a) Increasing production of palm gur.
- (b) Adoption of improved methods of manufacture of palm jaggery by supply of palm gur sets.
- (c) Granting subsidies to the neera parlours.
- (d) Encouraging the production of palatable products by giving subsidies to deserving societies for the purchase of confectionery equipment.
- (e) Undertaking propaganda for the development of Palm Gur Industry by supply of the journal " Tad Gud Samachar " at half cost.
- (f) Encouraging other allied industries among the ex-tapper.

SRI N. K. PALANISAMY : Sir, since jaggery is sold in the market at a very low price; all these measures will not help the tappers. Will the Government consider other alternative methods, such as distributing land to the tappers.

THE HON. SRI B. PARAMESWARAN : Sir, that is a common policy pursued by the Government in respect of those people who are in need of land, but this is a separate question altogether.

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SRI T. C. NARAYANAN NAMBIAR : Sir, on a former occasion, the Hon. the Minister for Prohibition was generous enough to give us an assurance that the recommendations of the Malabar Prohibition Advisory Committee will be taken into consideration by the Government. The first recommendation was that toddy-tappers belonging to jaggery-producing co-operative societies may be given loans in advance so that they may be saved from harassment by landlords, who lease these coconut palms by receiving *pattam* (rent) in advance, to pay that(?) the tappers receive money at high rates of interest from others. The other recommendation was that the Government should meet the administrative charges of the co-operative societies. May I know what steps have the Government taken in the matter?

THE HON. SRI B. PARAMESWARAN : Sir, sufficient subsidy is given for every item of work they are doing. I do not think a loan is necessary but if the hon. Member thinks that a loan is necessary, the Government will examine that question.

SRI R. KRISHNAN : பாலக்காடு தாலுகாவில் Palm jaggery tappers 10,000 பேர்கள் வரையிலும் இருக்கிறார்கள். Palm jaggery விலை கம்மியாக இருப்பதால் இவர்களுக்கு வேலையில்லாத திட்டம் ஏற்படுகிறது. ஆகையால் பாலக்காட்டிலே இரண்டாவது ஐந்து வருடத் திட்டத்திலே ஏதாவது ஒரு சர்க்கரை ஆலையை ஆரம்பிப்பதற்கு அரசாங்கம் சிபார்சு செய்வார்களா?

THE HON. SRI B. PARAMESWARAN : சர்க்கரை ஆலை ஆரம்பிப்பதுபற்றி என்னுடைய சகாப்தரன் விவசாய மந்திரி அவர்களுக்குக் கேள்வி போட்டால், அவர்கள் பதில் சொல்லுவார்கள்.

SRI N. K. PALANISAMY : Sir, in the existing Prohibition Act it has been laid down that the tappers should be given loans up to a limit of Rs. 200 for buying cattle, etc. They are already members of Primary Co-operative Societies. May I know whether they will be given any gratuity in their old age? May I also know whether the price of jaggery will be fixed?

THE HON. SRI B. PARAMESWARAN : The hon. Member seems to mix up one question with another. He thinks that a subsidy of Rs. 200 is given. The question of increasing or reducing the price of jaggery does not arise from this question.

SRI M. DHARMALINGAM : Sir, so far as my knowledge goes, I can inform this House that the grant of a licence to the sweet-toddy tappers for tapping juice for manufacturing jaggery does not help them in any way. Will the Government come forward to consider the desirability of organizing Milk Supply Societies, giving subsidy to them to improve the conditions of the sweet-toddy tappers?

THE HON. SRI B. PARAMESWARAN : Sir, I think the Members of this House are satisfied with the arrangements that are being and have been made by the Government of Madras.

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SRI M. KALYANASUNDARAM : கனம் மந்திரி அவர்கள் சொன்ன திட்டம் ரொம்ப இனிமையாகத்தான் இருக்கிறது. ஆனால் உற்பத்தியும் வெல்லத்துக்கு சரியான விலை கிடைக்காதது மதாபிலாளர்களுக்கு இனிமையைத் தருவதாயில்லை. அதனால் அவர்கள் கஷ்டப்படுகிறார்கள். ஆகையால் குறைந்தபட்சமாக பதனீராவது விற்று அதனால் ஏற்படும் பலனை அனுபவிப்பதற்கு அவர்கள் அனுமதிக்கப்படுவார்களா என்று அறிய விரும்புகிறேன்?

THE HON. SRI B. PARAMESWARAN : வெல்லம் உற்பத்தியானவுடன் அது கூட்டுறவு சங்கங்களான மூலமாகத்தான் விறகப்படவேண்டும் என்று சட்டம் இருக்கிறது. அந்த சட்டத்தை மீறி நபப்பவர்களுக்கு தண்டனை கொடுக்கப்படுகிறது என்று நேற்று நான் பதில் சொன்னது விரிந்து கனம் அங்கத்தினர்களுக்குத் தெரிந்திருக்கும். மூடறி விஷயத்தைப் பற்றி தனி பேசுவி கேட்காமல், அதற்கு பதில் சொல்லுகிறேன்.

SRI T. C. NARAYANAN NAMBIAR : Sir, the District Superintendent of Police, Malabar, has informed the Coovary and Kuttiattoor tappers, when they applied for licence for tapping coconut palm for making jaggery, that there were other works and that it was not necessary that they should take up this work. May I know on what basis the District Superintendent of Police said so and whether the Government will be pleased to reconsider the question on special representation, if made, with facts and figures to prove that the District Superintendent of Police was wrong?

THE HON. SRI B. PARAMESWARAN : Sir, this is a general question. If the hon. Member tables a separate interpellation, I will be able to answer his question.

Propagating Kalari form of physical culture

* 139 Q.—**SRI V. R. KRISHNA AYYAR :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have any plan to propagate the Kalari form of physical culture in any of the National Extension Service and Community Project areas in the State; and

(b) if so, whether the Government have included Kalari in any physical culture institutes under its control?

THE HON. SRI M. BHAKTAVATSALAM : (a) A grant of 50 per cent of the cost of equipment subject to a maximum of Rs. 100 for a sangham is permissible in the Blocks in Malabar district, the number of sanghams receiving a grant being limited to 4 per block. Apart from this, there is no plan for propagating this form of physical culture in National Extension Service and Community Project areas.

(b) It is proposed to start a course in Kalaripayat with an instructor from Malabar in Y.M.C.A. College of Physical Education, Saidapet.

SRI V. R. KRISHNA AYYAR : Sir, this is one of the finest forms of physical culture, indigenous as the Hon. Minister would agree. Will the Government, therefore, recruit quite a number of Kalari experts and organize this system of Kalari for the development of the youth of Tamil Nad?

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THE HON. SRI M. BHAKTAVATSALAM : This valuable suggestion of the hon. Member will be quite well appreciated not only by the Government but by all the other hon. Members in this House. Government will start this course in the Y.M.C.A. College of Physical Education and then they will see.

Attappadi Valley forest

* 139-A Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have sent any communication to the Centre during the year 1956 requesting that Attappadi Valley forest in Malabar be transferred to Madras after the States Re-organization; and

(b) whether the Government have received any reply from the Centre?

THE HON. SRI C. SUBRAMANIAM : (a) Yes, Sir. In January 1956, the Government made a request to the Government of India that the block of forests covering about 24 square miles of land in the Attappadi Block VI in the present Malabar district should be retained in the Madras State after the States are re-organized.

(b) No, Sir.

SRI N. K. PALANISAMY : May I know whether this Government have received any reply to that?

THE HON. SRI C. SUBRAMANIAM : No, Sir.

Celebration of Buddha's 2,500th Birthday

* 139-B Q.—SRI P. RANGASWAMI REDDIAR : Will the Hon. the Minister for Finance be pleased to state—

(a) whether this Government propose to celebrate the 2,500th birthday of Lord Buddha;

(b) if so, the estimated cost of expenditure for the said celebrations; and

(c) whether it is a fact that death sentence is proposed to be suspended for a year in this State; in commemoration of the said celebrations?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) A Special Exhibition of Buddhist antiquities was held in the Centenary Exhibition Hall in the Government Museum, Madras. It was inaugurated by the President of India on 27th May 1956 and an expenditure of Rs. 8,150 was incurred in this connexion. The Government also sanctioned the supply, free of cost, of a sweet and pongal to the inmates of the several Indian Boarding Homes, Orphanages, Borstal and Certified Schools, Remand Homes, etc. One sweet and pongal was also supplied to all prisoners in connexion with the celebrations.

(c) No, Sir.

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Officers opted for the Kerala State

* 139-C Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Finance be pleased to state—

(a) how many (1) Indian Administrative Service Officers, (2) Indian Police Service Officers, and (3) Judicial Officers, in the Madras State have opted for Kerala State Services; and

(b) whether the Government have given any assurance that those officers who opted for Kerala would be sent to that State without detriment to their service conditions?

THE HON. SRI C. SUBRAMANIAM : (a) This does not arise as no right of option has been conceded to officers in their allocation.

(b) The conditions of service of officers allotted to Kerala State consequent on the re-organization of the States will be subject to the provisions contained in the States Re-organization Bill and also by the general policy that may be laid down by the Government of India. The attention of the hon. Member is invited in this connexion to the proviso to sub-clause (7) of clause 116 of the Draft States Re-organization Bill. The question of giving a separate assurance by this Government in such cases does not therefore arise.

Retrenched workers of Commonwealth Tile Factory, Feroke

* 139-D Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state— 10 a.m.

(a) whether the Government have received any petition in January 1955 from 8 retrenched workers of the Commonwealth Tile Factory, Feroke, regarding the grant of retrenchment benefits to them; and

(b) if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) Action will be taken after the writ petitions filed in the High Court by the management of Commonwealth Trust, Limited, against orders of recovery issued by Government in two similar cases are disposed.

Hydrogenation factory at Kozhikode

* 139-E Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Agriculture be pleased to state whether it is a fact that the Government have issued orders recently for dismantling the hydrogenation plant from the Government Hydrogenation factory at Kozhikode?

THE HON. SRI M. BHAKTAVATSALAM : No, Sir.

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SRI V. R. KRISHNA AYYAR: This kind of allegation has been made about various other things also. May I, in the interests of concord and fraternal feelings between the Tamilians and the Malayalees, request the Government to issue an extensive statement explaining the correct position so that the atmosphere may not be vitiated by noxious whims?

THE HON. SRI M. BHAKTAVATSALAM: I do not think any statement is necessary. I also don't believe that any statement could convince those who put this kind of absolutely baseless questions.

Madras State Highways Mechanical and Transport Workers' Union, Tiruchirappalli

* 139-F Q.—**SRI S. RAMALINGAM** (on behalf of Dr. G. Chitrabalam): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received a copy of the Memorandum of demands submitted by the Madras State Highways Mechanical and Transport Workers' Union, Tiruchirappalli, on 9th May 1956; and

(b) if so, the action taken thereon?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: (a) Yes, Sir.

(b) The remarks of the Chief Engineer (Highways) have been called for.

* 139-G Q.—**SRI S. RAMALINGAM** (on behalf of Dr. G. Chitrabalam): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any deputation representing the Madras State Highways and Transport workers met the Hon. Minister for Public Works on 2nd February 1956;

(b) whether it is a fact that the Hon. Minister gave an assurance to the deputation, that the wages and service conditions of the workers would be improved; and

(c) if so, how far these assurances have been carried out?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: (a) The Tiruchirappalli District Highways Mechanical and Transport Workers' Union representatives met the Minister for Works on 2nd February 1956.

(b) No such assurances was given, but the representatives were informed that the question would be examined in consultation with the Chief Engineer (Highways).

(c) Does not arise in view of the answers above.

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Houses to Harijans in rural areas

* 139-H Q.—

MR. SPEAKER : The hon. Member Sri A. Ratnam is not in his seat. The question and answer will be printed in the proceedings.

SRI A. RATNAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the amount provided in the First Five-Year Plan for providing houses to Harijans in rural areas ; and

(b) the amount spent for the above purpose?

THE HON. SRI B. PARAMESWARAN : (a) No amount was provided.

(b) Does not arise.

New bus permits

* 139-I Q.—SRI M. KALYANASUNDARAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether any Government Order laying down the principles for the grant of new bus permits by the Regional Transport Authorities was issued recently; and

(b) if so, whether the Government will be pleased to place a copy of it on the table of the House?

THE HON. SRI B. PARAMESWARAN : (a) Yes.

(b) An extract * from G.O. No. 1298, Home, dated 28th April 1956, containing directions regarding the principles to be observed by all Transport Authorities in regard to the grant of State carriage permits is placed on the table of the House.

SRI M. KALYANASUNDARAM : The decision of the Government to fix viable units of five buses for each operator is no doubt a welcome one. But, I am afraid whether this object will be achieved at all by the method by which this is sought to be achieved because there is no prohibition to issue any bus permits to fleet owners who own already more than five buses. The other reason is the single bus operator is not going to be benefited immediately than the four bus owners who will get the fifth bus and this arrangement will place them at a very disadvantageous position. So, will the Government reconsider their decision and change the order of preference for the issue of new permits to small operators by beginning to issue permits to single bus operators immediately? We cannot prohibit any fleet owner from getting a permit. But the chances of the fleet owner getting permits are easier and unless we give some kind of preference to the man who owns one or two buses it will not be possible for the Government to achieve their object.

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THE HON. SRI B. PARAMESWARAN : With regard to single bus owners, Sir, I think he is also placed in an advantageous position. But, apart from these rules, the Government do not think that there is **any** need for giving extra concession to anybody. After deep consideration, Government have framed these rules. We will give a fair trial to these rules for about six or seven months. It is not even six months since the rules have come into operation. And then, if the Government are satisfied that there is any need for change, we will do so only to benefit the small operator as has been suggested by Sri Kalyanasundaram.

SRI P. RAMAMURTHI : The constitutional position is very clear. But, within the framework of the Act, Government have framed certain rules whereby they give a certain priority for the fleet owners and the Government have also come to the conclusion that a viable unit is five buses. Therefore, so long as the single bus operators continue as single bus operators in comparison with four bus operator or a three bus operator, he is placed in a very disadvantageous position in the competitive trade. If he is to take his chance after all these people had their chances, then the single bus operators are placed at a disadvantage. In order to remove this flaw and to see that these people also reach that level, will the Government just change the order of priority? That is all the question.

THE HON. SRI B. PARAMESWARAN : Then, the man who owns four buses will continue to own four buses for a number of years. While we allow the four bus owners to remain where they are, we will have to be going on increasing the number of persons who own one or two buses. It will be possible to help the single bus operators also to reach the viable unit by allocating to them more routes after the four-bus operators have reached the viable limit, which is easier. There will be sufficient opportunity for single bus owners to reach the viable unit in course of time.

SRI V. K. RAMASWAMY MUDALIAR : Will the Hon. Minister tell us whether there are not instances where the transport authorities granted many permits and variations of routes contrary to the conditions of the Government Order issued recently and whether the High Court have, on the writ applications, set aside many of the orders passed against the spirit of the Government Order? Also, is it not a fact that the Government are again granting temporary permits and variations of routes in contravention of the High Court's orders?

THE HON. SRI B. PARAMESWARAN : The Government have nothing to do with the grant of permits from 1st January 1956. It is the Transport Authorities in the district and the State Appellate Tribunal that grant these permits and review the appeals. There are certain appeals which go up to the High Court and except in a few cases, all the decisions of the Government are upheld by the High Court. There are certain cases which went up

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to the Supreme Court and there also the decision of the Government was upheld. If there is any miscarriage of justice by the authorities in the district, there is the Appellate Tribunal and the parties, who are aggrieved, may appeal to them. I do not think this vague allegation saying that the High Court has turned down all the decisions of the Government has any basis whatsoever. There are one or two suggestions which have been turned down. But, after the framing of these rules, I am quite sure that many of the big operators are finding it very difficult to get permits and there is sufficient encouragement for small bus operators to get more permits. As regards the point raised by Sri Kalyanasundaram and Sri Ramamurthy concerning the single bus operators, we will examine that question after a few months. If there are real difficulties, we will see that those difficulties are overcome. But the Government are satisfied with the present working of the rules framed by them.

SRI S. PANCHAKSHARAM : Shri O. V. Alagesan, the Hon. Deputy Minister in the Central Government, has been stating both inside and outside the Lok Sabha that permits are to be issued liberally to buses and lorries. Has this Government received any information from the Central Government and, if so, does the Government contemplate liberalizing the grant of permits for buses and lorries?

THE HON. SRI B. PARAMESWARAN : As I said earlier, the Government have nothing to do with the grant of permits. The Government have powers to put private buses in places where buses are needed and to restrict the number of buses where there is monopoly or unnecessary competition which would affect the operators adversely. We have been issuing circulars after circulars to the authorities to find out the opinion of the people and put more buses in order to facilitate quick traffic. But the procedure is really cumbersome. It takes a lot of time and we are trying to reduce the months by amending the rules. For example, if an operator gets a permit, he can put a bus within four months on the road. The Government are now thinking whether the period of four months will be reduced to one month. By reducing the period to one month, Government would certainly quicken the issue of these grants.

SRI V. R. KRISHNA AYYAR : At present, under the marks 10-10
a.m. system, which has been devised recently, the existing operators are given high marks in regard to fresh applications for the same route, which inevitably results in fostering monopolies and barring of new entrants altogether. Will the Hon. the Minister, therefore, issue a circular to all Regional Transport Authorities that they should primarily see that no monopolies are formed and that better facilities are given to new *bona fide* entrants in the line?

THE HON. SRI B. PARAMESWARAN : Even the present rules help to curb monopoly; if rules are necessary for further curbing monopoly, we will think of it in course of time.

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SRI M. NARAYANA KURUP : Is there any restriction with reference to the quota or number of permits the Government issue in any particular year?

THE HON. SRI B. PARAMESWARAN : No, Sir, the Government cannot restrict the issue of licences or fix any quota.

SRI M. KALYANASUNDARAM : In the mark system now in force, this difficulty arises. Applicants with four buses and less will be given one mark for each vehicle already licensed so that the owner of one vehicle gets one mark, the owner of two gets two marks and so on. Therefore, single-bus operators have no chance of getting additional permits in the near future and will not be able to survive. I plead that in the case of single-bus operators, special concession should be shown to protect them, especially in view of the recent policy of the Government with regard to renewal of permits. I am told fresh applications are invited creating insecurity for the existing operators with regard to their routes. May I suggest that the Government should take steps to protect single-bus operators and to that end, they should revert to the old practice of automatic renewal of permits?

THE HON. SRI B. PARAMESWARAN : The hon. Member does not catch me. If there are 100 single-bus operators and four four-bus operators, until these 100 single-bus operators are provided to the level of four, the four-bus operators will be stagnated without being able to get to the viable limit. Therefore, I promise that I shall look into the question and see whether we can amend the rules without in any way lessening the speed with which four-bus operators could get to the viable limit and at the same time providing that the single-bus operator could also get more preference. All these have to be worked out and these depend upon the number of operators operating in a particular route in a particular district and the applications received for each route.

Revised list of Backward Classes

* 139-J Q.—**SRI K. VINAYAKAM** (on behalf of Sri K. V. Ramaswamy) : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) whether the Government have submitted a revised list of backward classes in our state to the Backward Classes Commission set up by the Government of India; and

(b) if so, whether a copy of this revised list will be placed on the table of the House?

THE HON. SRI B. PARAMESWARAN : (a) Yes, Sir. A revised list has been forwarded to the Government of India.

(b) The matter is, for the present, being treated as "top secret".

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Running of bus services by the Chamber of District Boards

* 139-K Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Local Administration be pleased to state the reasons for rejecting the requests of the Chamber of District Boards during the year 1956 to run bus services in the districts?

THE HON. SRI S. S. RAMASAMY PADAYACHI : There is no provision in the Motor Vehicles Act, 1939, under which the District Boards can be permitted to run bus service on a monopolistic basis and it is not advisable for district boards to undertake the enterprise of running bus service, as it will be difficult and financially risky for them to compete with private operators.

SRI N. K. PALANISAMY : ரட்டித்திலே இம் இல்லாவிட்டாலும் தகுந்தபடி மாற்றியமைக்கலாம். பஸ் வசதியுள்ள பூனிப்பாலிகள் பஸ் சர்வீஸ் நடத்துவதற்கு அனுமதி கேட்டால், சர்க்கார் ஏன் கொடுக்கக் கூடாது என்று கேட்கிறேன்?

THE HON. SRI S. S. RAMASAMY PADAYACHI : தனிப் பட்டவர்கள் பஸ் சர்வீஸ் நடத்திக்கொண்டிருக்கும்போது அவர்களுக்குப் போட்டியாக நகர சபைகள் நடத்தினால், நகரசபைக்கு அவ்வளவு லாபகரமாக இருக்காது என்று அசாங்கம் கருதுகிறது.

SRI M. NARAYANA KURUP : Is the Hon. the Minister aware that the Constitution has been recently amended permitting local bodies to run bus services on a monopoly basis to the exclusion of other private owners?

THE HON. SRI S. S. RAMASAMY PADAYACHI : Notice, Sir.

Trifurcation of Malabar district

* 139-L Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that Government have sanctioned the trifurcation of the Malabar district for Revenue and Police purposes; and

(b) if so, the headquarters of these three proposed districts.

THE HON. SRI C. SUBRAMANIAM : (a) No, Sir.

(b) Does not arise.

SRI V. R. KRISHNA AYYAR : There was a recent statement in the popular newspaper *Mathrubhoomi* that there was a proposal before the Travancore-Cochin and the Madras Governments to trifurcate the Malabar district and that various details were also furnished to them. May I know whether the Government are aware of this at all?

THE HON. SRI C. SUBRAMANIAM : There has not been any formal proposal made to us by the Travancore-Cochin Government for the trifurcation of Malabar. A casual mention was made about

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this when I was talking with the Adviser to the Travancore-Cochin Government. But I do not know whether any positive steps are being taken in that direction.

General Elections

* 2 (SHORT NOTICE) Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have suggested to the Central Government during 1956 any new method of voting during the coming general elections; and

(b) if so, the details thereof?

THE HON. SRI C. SUBRAMANIAM : (a) The Election Commission has invited the remarks of the State Governments about the introduction of the system of marking on ballot papers of voting at elections in Assembly and Parliamentary constituencies in select areas (e.g., urban areas where the literate classes preponderate) in the next general elections. It is proposed to inform the Commission that the new scheme may be tried as an experimental measure in all the constituencies in Madras City alone in the next general elections.

(b) Under the new system the names (and if possible, symbols) of the candidates will be printed on the ballot paper and the elector will have to place a mark secretly against the name of the candidate of his choice and then fold the ballot paper so as to conceal the mark or marks from observation. One ballot box only will be kept in full view of the presiding officer, the candidates and their agents and the elector will insert the ballot paper into the ballot box within their view. The detailed procedure to be followed will have to be worked out by the Government of India, in consultation with the Election Commission, and prescribed by suitable amendments to the rules.

SRI K. VINAYAKAM : In the light of the experience we have gained—viz., that this kind of marking on the ballot paper is very cumbersome in the sense that if there are twelve candidates in a constituency, all the twelve symbols allotted to those candidates have got to be printed on the paper with the result the illiterate voter will be confused while marking the symbol of the candidate for whom he wants to vote—will the Government of Madras advise the Central Government not to adopt this system which will not be an improvement on the system adopted at the previous elections?

THE HON. SRI C. SUBRAMANIAM : That is why the Government of Madras have recommended to the Central Government and to the Election Commission that this could be tried in the City constituencies where there is a greater amount of literacy and where the voters are better-informed.

SRI S. PANCHAKSHARAM : The Government have felt that each candidate being allotted a box has led to abuse in that the

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voter was able to take out the ballot paper and hand it over to such persons who are prepared to take it after paying for it. Why not they now recommend to the Centre that the system of marking introduced by them during the recent local bodies and municipal elections may be tried during the ensuing general elections?

THE HON. SRI C. SUBRAMANIAM: The hon. Member evidently wants that we should recommend to the Election Commission that this system should be introduced throughout the country. There are some practical difficulties in the matter and the necessary preparations cannot be made within the short time available now. That is why, we have recommended to the Government of India to have this as an experimental measure in the City constituency.

SRI M. NARAYANA KURUP: A large number of questions have been put on the floor of this House and opinions expressed on this question. While conveying their views to the Election Commission, have the Government conveyed also the views of the Members sitting on this side of the House that they are opposed to it and do not favour such a practice? 10-20 a.m.

THE HON. SRI C. SUBRAMANIAM: All the difficulties involved in this system also have been pointed out to the Election Commission. But it is only a question of comparative merits, a question of deciding which is better. As far as we are concerned I have absolutely no doubt that the marking system is better. But certain conditions have to be satisfied for that purpose such as a general level of literacy. That is why we have recommended that it may be tried first in the City of Madras.

UNSTARRED QUESTIONS.

Malayalee Non-Gazetted Officers transferred to Tamil districts

8 Q.—**SRI K. MADHAVAN NAMBIAR:** Will the Hon. the Minister for Finance be pleased to state the number of Malayalee Non-Gazetted Officers transferred to Tamil districts from the district of Malabar after 1st March 1956?

THE HON. SRI C. SUBRAMANIAM: The Government consider that the collection of the information will involve a good deal of time and labour which will not be commensurate with the purpose served.

Appointment of Deputy Superintendents of Police

9 Q.—**SRI M. KATTIMUTHU:** Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that six additional Deputy Superintendents of Police were appointed in South Arcot district recently and if so, the reasons therefor;

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(b) whether the Government have any proposal to open new Police stations in the South Arcot district; and

(c) if so, where and when?

THE HON. SRI C. SUBRAMANIAM: (a) & (b) No, Sir.

(c) Does not arise.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—STATEMENT UNDER RULE 40 *RE* LOCK-OUT IN THE MALABAR TILE FACTORY, FEROKE.

MR. SPEAKER: I have received a notice under Rule 40 from the hon. Member Sri K. P. Gopalan calling attention of Hon. Minister for Agriculture on a matter of urgent public importance, namely, the dispute between the management of the Malabar Tile Factory, Feroke, and the Tile Workers' Union and the lock-out ordered by the management.

SRI K. P. GOPALAN: Mr. Speaker, Sir, I bring this matter before the Government and request the Hon. Minister to make a statement on the subject. Since June 6th, 1956, the Malabar Tile Factory, Feroke, has declared a temporary lock-out. The manager of the factory is the President of the Tile Manufacturers' Association. Feroke is a tile manufacturing centre. There are about 4,000 workers engaged in that industry. Before declaring such a lock-out the management never gave notice to the workers, nor did they put up a notice on the notice board informing the workers of such a lock-out. This is the first point. The other point I wish to bring to the notice of the Hon. Minister is that there is a dispute regarding this factory pending before the Industrial Tribunal, Coimbatore, on an allegation that some workers were dismissed. Without ascertaining the opinion of the Honourable Court, the management has temporarily closed the factory. This is an illegal step and it violates section 23 of the Industrial Disputes Act. The reason advanced by the management is that there is not sufficient stock of clay in the factory. This argument will not hold good because in previous years there were less stocks of clay in the factory and more workers were given employment. In this particular case the manager did not want that the case regarding dismissal of workers should be put up before the Industrial Tribunal, Coimbatore. He also wanted to curb trade union activities in the factory. The management wants to see that the tile industry is declared a seasonal one by the Government by adopting this lock-out and forcing unemployment on labourers. Many representations have been made in this regard. Even the hon. Member Sri T. C. Narayanan Nambiar, the President of the Union, made representations to the Government and the management. But the management did not care to settle the issue by mutual negotiations and by mutual understanding. Why I have brought this matter to the notice of the Government is this: The

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manager of the tile factory is the President of the Tile Manufacturers' Association. So this procedure will be followed by the other managements also. That will lead to unrest in that area. In this connexion I may bring to the notice of the Hon. Minister that there is a good market for these tiles. More tiles are necessary now for the national reconstruction works. During such a period if the management should enforce this unemployment on these workers and hamper production in the country, it is a serious matter which the Government should consider and take necessary steps. I hold the opinion that the temporary closure by the management of the factory is illegal and wantonly done. It is the duty of the Government to see that the whole question is enquired into and an amicable settlement arrived at between the management and the labour union.

* THE HON. SRI M. BHAKTAVATSALAM: Mr. Speaker, Sir, the hon. Member has referred to the failure of the Government to intervene in the labour dispute between the management of Malabar Tile Factory, Feroke, and the Tile Workers' Union, consequent on the alleged lock-out of the factory from 6th June 1956 resulting in unemployment and misery of 300 workers. I shall give a brief account of the matter.

The management of the Malabar Tile Works, Feroke, laid off about 300 workers working in the factory early in June 1956, for want of sufficient clay in the factory to keep all the workers engaged. The union represented to the Commissioner of Labour telegraphically on 14th June 1956 about the lay-off situation in the above factory. He communicated a copy of the telegram to the Labour Officer, Kozhikode, asking him to enquire into the matter. The Commissioner received a further report from the union on 26th June 1956 reporting the continuance of the lay-off. A copy of it was also forwarded to the Labour Officer for enquiry. Sri Narayanan Nambiar, M.L.A., and Sri K. P. Gopalan, M.L.A., requested the intervention of the Labour Department in the matter telegraphically on 31st July 1956. The Commissioner of Labour sent copies of these telegrams to the Labour Officer and asked him to expedite his report.

The Labour Officer, Kozhikode, enquired into the alleged lock-out on 1st August 1956, and visited the factory on 7th August 1956. The Labour Officer has stated that there was no lock-out of the factory as alleged by the Workers' Union. He was satisfied that the lay-off was for *bona fide* reasons. Sufficient matured clay was not available to work the factory with the full compliment of workers. The pugmill which was installed in 1953 in the factory in order to make tile blocks without the clay undergoing maturing process was not working satisfactorily. The management therefore stopped the new pugmill and adopted the old process of leaving the clay in the clay pits for a period of three to four weeks for maturing

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in order to eliminate excess quantity of moisture. As sufficient clay could not be stocked in the clay-pit during the monsoon, the present lay-off was inevitable.

Out of three hundred workers, 163 have already been paid lay-off wages for the maximum period of 45 days as provided under the Industrial Disputes Act. The management have not paid the remaining 137 workers the lay-off compensation, as in their opinion they are not eligible for such compensation under the Industrial Disputes Act, since they were employed by contractors. The Labour Officer has, however, advised the workers to file claim petitions under the Industrial Disputes Act, for the recovery of lay-off wages. The question whether these workers are eligible for compensation will be examined on receipt of the claim petitions.

From the above it will be seen that it is not correct to say that Government did not intervene in the situation.

III.—ADJOURNMENT MOTIONS *RE*:

(1) ARREST OF HANDLOOM WEAVERS IN KARUR.

MR. SPEAKER: I have received notice of an adjournment motion from the hon. Member Sri M. Kalyanasundaram saying that the House do stand adjourned to discuss a matter of urgent public importance, namely, the action of the Government in arresting about 120 handloom weavers in Karur yesterday—the letter is dated 14th August 1956—instead of taking action against the proprietors of Viswant Textiles who are refusing to implement the award of the Industrial Tribunal which has resulted in a serious situation in the whole town of Karur.

I would like to know from the hon. Member how it comes within the terms of Rule 41.

SRI M. KALYANASUNDARAM : கனம் சபாநாயகர் அவர்களே, சுமார் 120 தொழிலாளர்கள் போலீஸாரால் கைது செய்யப்பட்டிருக்கிறார்கள் என்பதை மட்டும் வைத்துக்கொண்டு இந்தப் பிரச்சினையை சபை முன்பு கொண்டுவரவில்லை. தொழில் கோர்ட்டுகளின் தீர்ப்புகளை அமுல் நடத்துவதில் சர்க்காரின் கொள்கையை இது பிரதிபலிக்கிறது என்பதை எடுத்துக்காட்டவே இதை சபை முன்பு கொண்டுவர வேண்டிய அவசியம் ஏற்பட்டிருக்கிறது.

கனரூவில் விஸ்வம் டெக்ஸ்டைல்ஸ் என்ற கைத்தறித் தொழிற்சாலையின் நிர்வாகஸ்தர்கள் தொழிலாளர்களைப் பழிவாங்கவேண்டுமென்ற எண்ணத்திலே தொழிற்சாலையை மூடிவிட்டதாக அறிவித்துவிட்டு வேறு பெயருடன் அந்தத் தொழிற்சாலையை நடத்துகிறார்கள். அதுபற்றி தகராறு ஏற்பட்டு சர்க்கார் இந்த விஷயத்தை ‘அட்ஜூடிகேஷனுக்கு’ விட்டார்கள். இது சம்பந்தமாக தொழில் கோர்ட்டு தீர்ப்பு எப்ரல் மாதம் வெளிவந்திருக்கிறது. கெஜட்டில் தீர்ப்பு பிரசுரிக்கப்பட்டு மூன்று மாதங்கள் ஆகியும், அது இன்னும் அமுல் நடத்தப்படவில்லை. தீர்ப்பில் என்சன் கூறப்பட்டிருக்கிறது என்பதை சபையின் கவனத்துக்குக் கொண்டுவர விரும்புகிறேன். “Under such circumstances the only finding I can give is that the closure put forward by the Management is not at all bona fide.” இதை இன்னும் என்ன தெளிவாக குறிப்பிடப்படவேண்டுமென்பது

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எனக்குத்தெரியவில்லை. நிர்வாகம் தொழிற்சாலையை மூடியது எந்த விதத்திலும் நியாயமில்லை என்று தெளிவாகச் சொல்லப்பட்டிருக்கிறது. இன்னும் தீர்ப்பில் நிர்வாகத்தைப்பற்றி கூறியிருப்பதை படித்துக் காட்டுகிறேன். The Management which adopts such a course on account of its superior intelligence throws a number of workers out of employment for half a year and causes them misery by depriving them of their daily bread and attempts to deprive them of their legal benefits and legitimate rights.

இவ்வளவுதரம் தொழிலாளர்களுக்கு துன்பம் விளைவிக்கவேண்டும் என்ற நோக்கத்தோடு நிர்வாகம் நடந்துகொண்டிருக்கிறது என்பது தீர்ப்பில் தெளிவாக எடுத்துக்காட்டப் பட்டிருக்கிறது. தீர்ப்பு வெளிவந்து மூன்று மாதங்கள் ஆகியும், அதை அமல் நடத்துவதற்கு இன்னும் நிர்வாகம் முன்வரவில்லை. அந்தத் தீர்ப்பை எதிர்த்து அவர்கள் அப்பீலும் செய்து கொள்ளவில்லை. அப்படியிருக்கும்பொழுது, தொழிலாளர்கள் எந்த முறையில் தங்களுக்கு பரிகாரம் காண்பது? சர்க்காரும் இதில் தலையிட்டு தீர்ப்பை அமல் நடத்தமாறு நிர்வாகத்துக்கு உத்தரவு பிறப்பித்தது கிடையாது. அவர்கள் இதற்காக சர்க்கார் prosecute செய்யவில்லை. ஆகையால் தொழிலாளர்கள் தொழிற்சாலை முன்பு அமைதியாக சத்தியாகிரஹம் செய்தார்கள். கலெக்டர், ஆர்.டி.ஓ. இவர்கள் சமரசம் ஏற்படுத்த முயற்சி செய்து நிர்வாகத்துக்கு புத்தி கூறியும், நிர்வாகம் எந்த விதத்திலும் அந்த புத்திமதியை ஏற்றுக்கொள்ளவில்லை. போலீஸ் அதிகாரிகள் மாணேஜ்மென்ட்மீது நடவடிக்கை எடுப்பதற்குப் பதிலாக, சட்ட விரோதமான 113 தொழிலாளர்களை போலீஸ் ஸ்டேஷனுக்கு தந்திரமாக அழைத்துப்போய் காலை 8 மணி முதல் மாலை 5 மணி வரையில் சாப்பாடுசுட போடாமல் அடைத்து வைத்திருந்தார்கள். அவர்களைக் கைது செய்திருந்தாலும் பரவாயில்லை. கலெக்டர், ஆர்.டி.ஓ. போன்ற அதிகாரிகள் சமரசம் ஏற்படுத்துவதற்கு தங்களாலான முயற்சி செய்தார்கள். ஆனால் குறிப்பாக போலீஸ் இன்ஸ்பெக்டர் சர்க்கார் அதிகாரிகளின் முயற்சிகளையும் புறக்கணித்துவிட்டு, நிர்வாகத்துக்கு உதவி செய்யவேண்டுமென்ற காரணத்தினாலே தொழிலாளர்களை போலீஸ் ஸ்டேஷனில் காலையிலிருந்து மாலைவரை சட்ட விரோதமாக அடைத்து வைத்திருந்தார். இம்மாதிரியான நடவடிக்கைகளில் போலீஸ் அதிகாரிகள் இறங்கினால் தொழில் துறையில் அமைதி இருக்காது. தொழில் வளர்ச்சிக்கு குந்தகம் ஏற்படும். இப்படிப்பட்ட போலீஸ் அதிகாரிகளின்மீது சர்க்கார் தக்க நடவடிக்கை எடுக்கவேண்டுமென்பதற்காக இந்த பிரச்சனையை சபை முன்பு விவாதத்துக்குக் கொண்டுவர விரும்புகிறேன். ஆகையால் சபையை ஒத்திவைத்து இந்த விஷயத்தின்மீது விவாதத்தை அனுமதிக்க வேண்டுமென்று கேட்டுக்கொள்கிறேன்.

THE HON. SRI C. SUBRAMANIAM: Mr. Speaker, Sir, even on 10 34 a.m.
the facts stated by the hon. Member I am afraid that it would not be a proper subject-matter for the adjournment of the House. I am not in possession of the details with regard to the various facts alleged by the hon. Member. But apart from that this seems to be a matter coming under the day-to-day administration of law and order. Therefore, I respectfully submit that this would not be a proper subject-matter for the adjournment of the House.

MR. SPEAKER: I am inclined to agree with that. What has the hon. Member Sri M. Kalyanasundaram got to say on this matter?

SRI M. KALYANASUNDARAM: I wonder how this is considered a routine matter concerning law and order. There was no

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breach of the peace. Neither the Revenue Divisional Officer nor any other officer, who was there requested the Police to take action. Why should the Police show so much extra enthusiasm in resorting to this action?

THE HON. SRI C. SUBRAMANIAM : This is a matter which the hon. Member has heard and I am not in possession of the facts with regard to this matter. Therefore, nothing could be served by a discussion on this matter now. If the hon. Member wants me to enquire into this, I shall look into the matter and see what has happened. If anything wrong has happened, certainly I shall see that that is set right. Therefore this cannot be taken as a subject-matter for the adjournment of the House. I would request the hon. Member, therefore, not to press this motion at this stage.

SRI M. KALYANASUNDARAM : I had given notice of this on the 13th instant, if I remember right. The Hon. Minister also promised that he would call for reports and agreed that this could be taken up on the 18th instant, namely, to-day. But even in spite of this, if he has not received reports, then I do not know when action will be taken on those who were responsible for this incident. Therefore, I press my motion.

MR. SPEAKER : I am not satisfied on the statement of facts given by the hon. Member that this could be an adjournment motion which would come under Rule 41. I am definitely of the view that it would not come under sub-clause (viii) of Rule 49. These things are done in the course of the ordinary administration of law to prevent breaches of the peace, and no excesses have been shown to have been committed. Therefore, I disallow this adjournment motion.

(2) RAID OF THE MALABAR SPECIAL POLICE ON CHERIES IN CERTAIN VILLAGES IN THE CHIDAMBARAM TALUK.

MR. SPEAKER : I have received notice of another adjournment motion by Sri C. Kandasamy. It reads as follows :—

“ This House stands adjourned to discuss a matter of urgent public importance, viz. :

the behaviour of the Malabar Special Police in beating and raiding the cheries of agricultural labourers in the villages of Kuyavanpettai, Varahur, Sivapuri, Kavarappattu in the Chidambaram taluk of South Arcot district on 14th August 1956, such labourers being peacefully agitating for an increase in their wages and the promulgation of section 144 and arrest of nearly 40 labourers including women and the failure of the Government to settle the matter and prevent such a state of affairs in this area.”

Even in this case I am afraid that *prima facie* there does not seem to be any public matter which could come under Rule 41. Nevertheless I would request the hon. Member to say what he has got to say on this.

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SRI C. KANDASAMY : கனம் சபாநாயகர் அவர்களே, நான் கொண்டுவந்திருக்கும் ஒத்திவைப்புப் பிரேரணையில் சொல்லப்பட்டிருக்கும் விஷயம் உடனடியானதும் பொதுஜன முக்கியத்துவம் வாய்ந்ததாகவும் இருப்பதால்தான், நான் அதை சபையின் கவனத்துக்குக்கொண்டுவர விரும்புகிறேன். சிதம்பரம் தாலுகாவில் நான் குறிப்பிட்டிருக்கும் கிராமங்களிலே தஞ்சாவூர் பண்ணையான் சட்டம் அமுலில் இருக்கிறது. 1955-ம் வருஷம் செப்டம்பர் மாதத்திலே விவசாயத் தொழிலாளர் களுக்கும் மிராசுதாரர்களுக்கும் இடையே அரசாங்கம் ஒரு ஒப்பந்தம்செய்து வைத்தார்கள். இந்த இரண்டு சட்டங்களையும் மீறக்கூடிய நடவடிக்கைகளில் மிராசுதாரர்கள் இறங்கியிருக்கிறார்கள். பல சந்தர்ப்பங்களில் விவசாயிகள் மனுக்கள் மூலமாகவும், பேட்டி மூலமாகவும் ஜில்லா அதிகாரிகளுக்கு இதைப்பற்றி புகார் செய்திருக்கிறார்கள். அப்படியிருக்கக்கூடிய நிலைமையில் அந்த அதிகாரிகள் நியாயப்படி நடவடிக்கைகள் எடுத்துக்கொள்வதற்குப் பதிலாக, விவசாயிகள் அடங்கி நடக்கவேண்டுமென்ற யதேச்சுதிகார நோக்கத்துடன் மலபார் ஸ்பெஷல் போலீஸை வைத்துக்கொண்டு மிராசுதாரர்களுக்கு சாதகமாக நடவடிக்கை எடுக்கிறார்கள். குழந்தையோடு உள்ள தாய் உள்பட 40 பேர்கள் கைது செய்யப்பட்டிருக்கிறார்கள். இம்மாதிரி நெருக்கடியான நிலைமை இந்த கிராமங்களில் நீடித்துக்கொண்டு வருகிறது. அங்கு இருக்கக்கூடிய அதிகார வர்க்கம் சட்டத்தை அமுல் நடத்தி விவசாயிகளுக்கு நியாயம் வழங்கவில்லை. அதற்கு நேர்மாறாக அரசாங்கத் தரப்பில் சட்டத்தை மீறும்படியான முறையில் நிர்வாகம் நடந்துகொண்டிருக்கிறது. சட்டப்படி அங்குள்ள அதிகாரிகள் தவறு செய்கிறார்கள். இதுவரை 40, 50 பேர்கள் கைது செய்திருக்கிறார்கள். மேலும் இந்த நெருக்கடி அங்கு நீடித்துவருகிறது என்ற காரணத்தினால், இன்றையதினம் சபையை ஒத்திவைத்து இந்த விஷயத்தை விவாதிக்க அனுமதிக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

SRI P. RAMMURTHI : Mr. Speaker, Sir, I wish to add in this connexion that Government should not adopt the policy of making every labour dispute a question of law and order. In this particular case the demand of the workers is very simple. Last year through the intervention of the District Collector, a settlement with regard to the rate of wages to be paid to agricultural workers who were not working under the Pannaiyal system, was arrived at. In this year when the workers went to the landlords and demanded the wages paid to them last year according to the settlement then arrived at, the landlords refused to pay them those wages. Therefore, the workers went on strike. They have approached the District Collector. The District Collector has not intervened to settle the dispute. With regard to the Pannaiyal system also, the provisions of the Tanjore Tenants and Pannaiyal Protection Act are not strictly implemented. These are questions which could be settled if the concerned official takes up a proper attitude, intervenes in the matter and settles the dispute. Instead of that, why should the Police be sent to settle the dispute? That is the main question before the House. Therefore, I would like to urge the Government to look into the whole question and issue proper instructions to the district authorities to settle the dispute and to withdraw the Police from the scene.

THE HON. SRI C. SUBRAMANIAM : May I also make a request 10-40
that every dispute should not be made the subject-matter of an a.m.

[Sri C. Subramaniam] [18th August 1956]

adjournment motion in this House, even as the Leader of the Opposition requests that every labour dispute should not be considered as a question of breach of law and order?

SRI P. RAMAMURTHI : If the Hon. Minister concedes my request, I will concede his request.

THE HON. SRI C. SUBRAMANIAM : I am not aware of the facts of the case. If there are any pending disputes, certainly the Government are interested in seeing that they are amicably settled, as amicable, settlement, as far as possible, is the policy of the Government. If there are any disputes, I shall see how they can be settled. But certainly this cannot form the subject-matter of an adjournment motion.

SRI S. RAMALINGAM : போன தடவை இந்த மாதிரி தகராறு ஏற்பட்ட போது, ரெலிண்ட் போர்டு டெம்பரையும், கனம் அங்கத்தினர் ஸ்ரீ சி. கந்தசாமியையும் அங்கே அனுப்பிவைத்து சமரஸம் செய்வதற்கு சர்க்கார் முயற்சி எடுத்துக்கொண்டது. இந்தத் தடவையும் சர்க்கார் அதே போல் நடவடிக்கை எடுத்தால் கூடியசீக்கிரம் சமரஸம் ஏற்பட்டு கிராமத்தில் சாகுபடி நடக்கும். சர்க்கார் அவ்வாறு நடவடிக்கை எடுப்பார்களா என்று கேட்க ஆசைப்படுகிறேன்.

THE HON. SRI C. SUBRAMANIAM : இந்த விஷயத்தில் ஒரு பெரிய கஷ்டம் என்னவென்றால் உண்மையான தகராறுகள் இருக்குமானால் தீர்த்துவைக்கலாம். வரப்போகும் தேர்தலை அனுசரித்து சில தகராறுகள் தோன்றுகின்றன என்பதுதான். (அரகோஷம்.) தேர்தல் முடிந்த பிறகுதான் இந்தத் தகராறுகள் தீரும் என்று நான் நினைக்கிறேன். இருந்தாலும் தகராறை சர்க்கார் கூடிய சீக்கிரம் தீர்த்துவைக்கும் என்று சொல்லிக்கொள்கிறேன்.

10-41
p.m.

SRI P. RAMAMURTHI : I want to protest against the insinuation that has been made by the Hon. Minister.

THE HON. SRI C. SUBRAMANIAM : No insinuation has been made.

SRI P. RAMAMURTHI : If the Minister had gone into the merits of the dispute, found that the case of the workers was very weak, and then said that the dispute had been set up by interested parties, I can understand it. He himself admitted that he was not aware of the facts of the case. Without going into the merits of the dispute, he makes the insinuation that it is set up for the purpose of election. I only request him not to make such an insinuation.

THE HON. SRI C. SUBRAMANIAM : I was not making reference to the merits of this particular case; I was referring to the general tendency prevailing now and certainly I am entitled to bring it to the notice of this House.

SRI C. KANDASAMY : நான் அதிகமாக ஒன்றும் கூறவிரும்பவில்லை. அங்கு அமுலில் இருக்கும் பண்ணையாள் சட்டத்தையும், 1955-ம் வருஷம் செப்டம்பர் மாதம் அங்கு ஏற்பட்ட கூலி ஒப்பந்தத்தையும் நல்ல

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முறையில் அமுல் நடத்துவதற்கு அரசாங்கம் நடவடிக்கை எடுத்தால் அங்கு தகராறுக்கே இடம் இருக்காது. அதற்கான நடவடிக்கையை சர்க்கார் எடுக்கவேண்டும் என்று வற்புறுத்துகிறேன். அவ்விதமே நமது நிதி அமைச்சர் அவர்கள் உறுதிமொழி கூறுவார்கள் என்று நினைக்கிறேன்; அதுவே எனது நோக்கமுகூட.

MR. SPEAKER : I find that this also is an adjournment motion which does not come within the terms of rule 41. The hon. Member has not given any detail as to when orders under section 144 were promulgated and why the Malabar Special Police made the raids. Some vague allegations have been made. It is not a definite matter of urgent public importance. The incident occurred on 14th August, and we have had one or two sittings subsequently. The subject-matter of the adjournment motion does not involve more than the ordinary administration of the law. I, therefore, disallow the adjournment motion.

IV.—HALF-HOUR DEBATE RE MADRAS-ANDHRA BORDER DISPUTES.

SRI P. RAMAMURTHI : Before we take up the next item of business for to-day, I would like to bring to the notice of the Government that subsequent to the statement of the Hon. Leader of the House in this Assembly regarding the stand taken by the Andhra Government as disclosed in the Andhra Governor's Address in the Andhra Assembly over the Andhra-Tamil border disputes, the Chief Minister of the Andhra State has made a statement in the Andhra Legislative Assembly. I would like to know whether the Government have taken notice of this statement and are prepared to make any statement about it on the floor of this House. As to-day happens to be the last day of the sitting, it will be very useful if a half-hour debate is permitted on this question and we, on this side of the House, will have an opportunity to say what we think about the whole question.

(Sri K. Vinayakam stood up.)

MR. SPEAKER : I would like to know . . .

(Sri K. Vinayakam was still standing.)

MR. SPEAKER : It is only ordinary courtesy that the hon. Member should sit down when the Speaker is on his legs.

(Sri K. Vinayakam resumed his seat.)

I would like to know whether the Hon. Leader of the House has anything to say on this point.

THE HON. SRI C. SUBRAMANIAM : I also would like to have the matter cleared up. So we may take up this matter at 3 o'clock this afternoon when we re-assemble after lunch, and discuss it.

SRI K. VINAYAKAM : The object of my rising was to congratulate the Leader of the Opposition on taking such a lively interest in solving the border dispute, in which he was not evincing

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so much interest when his Andhra comrades were here. Apart from that, in the discussion, I would like the Leader of the House to make it clear how we should solve this problem. There is no use of simply making a statement and leaving the matter in the lurch. The Opposition Members . . .

MR. SPEAKER: The hon. Member will have ample time to say what the Hon. Leader of the House should say and how the problem should be solved. The Hon. Leader of the House will make a statement at 3 p.m. to-day.

V.—GOVERNMENT MOTION.

MOTION UNDER RULE 21 (3) OF THE ASSEMBLY RULES *re* CHANGE IN THE ORDER OF BUSINESS

THE HON. SRI C. SUBRAMANIAM: Among the official Bills, we will be taking up only the Presidency Small Cause Courts (Madras Amendment) Bill during this sitting. After that is disposed of, we will take up the half-hour debate and then the non-official business. I move—

“That in the agenda for 18th August 1956 under Official business the Presidency Small Cause Courts (Madras Amendment) Bill, 1956, alone be taken up for consideration.”

The motion was put and carried.

VI.—GOVERNMENT BILL.

THE PRESIDENCY SMALL CAUSE COURTS (MADRAS AMENDMENT) BILL 1956.

THE HON. SRI C. SUBRAMANIAM: Sir, I beg leave to introduce the Presidency Small Cause Courts (Madras Amendment) Bill *, 1956, and move—

“That the Bill be taken into consideration at once.”

This Bill is intended to rectify certain defects found in the provisions of the Presidency Small Cause Courts Act, 1882. Section 41 of the Act reads—

“When any person has had possession of any immovable property situate within the local limits of the Small Cause Court's jurisdiction and of which the annual value at a rack-rent, does not exceed two thousand rupees, as the tenant, or by permission of another person, or of some person through whom such other person claims,

and such tenancy or permission has determined or been withdrawn.

and such tenant or occupier or any person holding under or by assignment from him (hereinafter called the occupant) refuses to deliver up such property in compliance with a request made to him in this behalf by such other person,

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such other person (hereinafter called the applicant) may apply to the Small Cause Court for a summons against the occupant, calling upon him to show cause, on a day therein appointed, why he should not be compelled to deliver up the property."

Under section 47 of that Act, the occupant can put in an application saying that he would be moving the High Court in this matter and have the proceedings in the Small Cause Court stayed. For putting in such an application, the occupant has to execute a bond with two sureties. What happens now is this : Immediately after an application is made by the occupant that he intends moving the High Court all further proceedings in the Small Cause Court will have to be stayed, as the provision stands at present. Sometimes it takes time to furnish security. Ultimately the applicant may not furnish the security and allow the application to be dismissed. So much so he gains two or three months' time, and thus this provision is used for dilatory purposes. Now we propose to amend section 47 so as to make the stay become effective only after the security is furnished. That is the sum and substance of the amendment proposed. (Interruption by Sri M. Kalyanasundaram.) Till he moves the High Court. Once he moves the High Court and a regular suit is filed, then the suit will be an effective proceeding, and whatever is decided on the suit, will be the final adjudication in the matter. Therefore, Sir, this amending Bill is brought forward. I hope the House will accept it.

10-50
a.m.

MR. SPEAKER : Motion moved—

" That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956, be taken into consideration at once."

* SRI M. NARAYANA KURUP : Sir, in matters where the stay becomes effective only after the security is furnished, it may sometimes defeat the very purpose. Therefore, it seems to me that instead of laying down the principle that it becomes operative after the security is furnished, a time limit may be fixed. The Hon. Minister stated that dilatory tactics might be adopted. I agree that it may be so sometimes. But the other side also sometimes, when security is furnished, takes objection saying that it is insufficient or it may ask for a commission or a number of other things which may drag on the furnishing of security for a number of months. Therefore, will it not be better that a reasonable time limit is fixed within which the security has to be furnished? Otherwise this will lead to the other way where the opposite party may take advantage of the provision. An immediate stay is essential sometimes in order to meet out justice and prevent injustice.

SRI E. L. RAGHAVA MUDALIAR : Sir, stay is provided for just to avoid certain injustice that may be caused. If it is cash security and if it is a small sum, it is all right. But in many cases security has to be provided for a considerable sum, and it is not

[Sri E. L. Raghava Mudaliar]

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possible to provide cash security. Then property is offered as security. In such cases, the other side will never agree as to the value and may require a test. All these things take some time. If property security is considered sufficient, then the document has got to be registered. Even within this reasonable time of one week, injustice may be done. Therefore, as Mr. Kurup observed, instead of making the furnishing of security a condition, a time-limit for furnishing security may be fixed. If they fail to furnish security within that time, then, of course, the petition may be dismissed. Therefore, I support Mr. Kurup.

THE HON. SRI C. SUBRAMANIAM : Sir, the point for consideration is this. A number of cases have been brought to the notice of the Government (and the High Court also has taken notice of this) that invariably what happens is that an application is made and stay obtained, but the security is not furnished. As regards the difficulty pointed out by Sri Narayana Kurup and endorsed by Sri Raghava Mudaliar, we have to bear in mind that the original proceedings under section 41 and the application made under section 47 are both before the same court. Therefore, the question whether the court should expeditiously proceed with the application under section 41 or should wait for the furnishing of security under section 47, can very well be left to the discretion of the court, because it is not as if some other court is trying the case and a stay has to reach that court from another place. When both the applications are before the same court, and if it is found that dilatory tactics are adopted by the owner of the house or the owner of the property, then the court can very well say that it is adjourning the other proceedings also. Therefore, in all these matters, discretion should be given to the court. As it now stands, once an application is made, automatically stay has to be effected. The difficulties contemplated are not likely to arise and if we put a time-limit and the proceedings are not closed, instead of the furnishing of the security, because of the dilatory tactics adopted by the owner, automatically the application will have to be dismissed. Once the security is furnished, then automatically the stay comes into effect. Then he will have to move the High Court. If the High Court is not moved, the security furnished may be used for the purpose of compensating the loss incurred. Therefore, I do not think the suggestion made by the hon. Member that a time limit should be fixed is workable or practicable. We are leaving the matter entirely to the court to find out whether it should proceed expeditiously with the application under section 41 or it should take up the security proceedings. Once security is given, stay comes into effect. Therefore, I do not think any practical difficulties are likely to arise.

* SRI M. NARAYANA KURUP : If a frivolous petition is brought forward, then of course it can be dealt with by the court. Instead of making the stay effective after the security is furnished,

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will it not be better to give discretion to the court to issue an interim stay if that is possible? The stay will not be effective unless the security is furnished. If the court grants stay for some time, and if it is satisfied that the party is deliberately adopting dilatory tactics, then the court can dissolve the stay.

THE HON. SRI C. SUBRAMANIAM : " Interim stay " and stay have the same effect. There is no question of any interim stay effected and later on confirmed. The question is whether the application under section 41 should be proceeded with or not. The Court will decide whether it should proceed expeditiously with the application under section 47 or proceed with the hearing and disposal of the petition under section 41. Therefore, I do not think, Sir, any further safeguards are necessary. The court will take care of all these things.

MR. SPEAKER : The question is—

" That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956, be taken into consideration at once."

The motion was put and carried and the Bill was taken into consideration.

Clause 2.

* SRI M. JAGANNATHAN : Sir, I move—

" In clause 2, in sub-section (3) of the proposed section 47 to the Central Act, for the words ' the Small Cause Court shall proceed with the application from the stage reached when security was furnished under sub-section (1) ', occurring in lines 23-25 on page 2, substitute the words ' the Small Cause Court shall proceed with the application from the stage reached when security under sub-section (1) was accepted.' "

My amendment is a very simple one. Under sub-clause (1) of the proposed clause 47, it is stated that further proceedings will be stayed at the stage when the bond is accepted. Look at the words used in this sub-clause, namely, " the Small Cause Court shall stay further proceedings on the application from the stage reached when the bond was accepted by the Small Cause Court ". In sub-clause (2) of the same clause, the relevant point of time that is contemplated is the time of the acceptance of the bond. But in sub-clause (3) of the same clause, it is stated that ' the Small Cause Court shall proceed with the application from the stage reached when security was furnished under sub-section (1) '. The word used is " furnished " and not " accepted ". This will result in misinterpretation in my opinion. Because, " furnishing security " may be interpreted to mean the presentation of security into the court and not the actual acceptance thereof. Between the presentation of the bond to the court and the actual acceptance of the same,

[Sri M. Jagannathan] [18th August 1956]

there will be a certain interval of time. During this interval, certain proceedings would have taken place. When proceedings are started again, they will commence at the stage when the bond was presented to the Court, that is, when the security was furnished. This will give rise to unnecessary repetition of the proceedings that were already taken. That will cause hardship and in my opinion will be against all principles of jurisprudence. In the interests of uniformity, clarity and precision, I suggest that the words " was accepted " may be inserted in this clause. I hope that the Government will find no difficulty in accepting my amendment which will obviate a patent discrepancy.

SRI P. S. KRISHNASWAMY AYYANGAR: I second the amendment, Sir.

MR. SPEAKER: When it is said " furnished ", I think it means acceptance also. I think it is used in that sense.

THE HON. SRI C. SUBRAMANIAM: For the sake of having a uniform terminology, I have no objection to accept the amendment moved by hon. Member Sri Jagannathan.

MR. SPEAKER: The question is—

" In clause 2, in sub-section (3) of the proposed section 47 to the Central Act, for the words ' the Small Cause Court shall proceed with the application from the stage reached when security was furnished under sub-section (1) ', occurring in lines 23-25 on page 2, *substitute* the words ' the Small Cause Court shall proceed with the application from the stage reached when security under sub-section (1) was accepted. ' "

The amendment was put and carried.

Clause 2, as amended, was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM: Sir, I move—

" That the Presidency Small Cause Courts (Madras Amendment) Bill, 1956, as amended, be passed."

The motion was put and carried and the Bill was passed.

MR. SPEAKER: The House will now rise for lunch and meet again at 3 p.m.

The House then rose for lunch.

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Therefore, I would even now on behalf of the House make an earnest appeal to the Andhra Government to take up the thread where we have left it and see whether an agreement could not be arrived at. I have absolutely no doubt that if this is the sentiment which is really expressed by them, that sentiment should be worked out only by taking the thread from where we left it. Unless we take that attitude, we will never reach any agreement and this will be a running sore for many more years to come. That is not also good in the interests of the neighbourly feeling between the people of Andhra and Tamilnad. More than anything else, the people living in these border areas will be indefinitely kept in a state of suspense and suspicion also, if I may say so. Therefore, I would make another appeal through this House to the Andhra Government and tell them that that is the attitude which this House has taken and that is the attitude of the Government also. This is a separate problem and it should be solved according to the assurances already given and according to the steps which had already been taken. I want to make it clear before this House that that is the attitude of the Government in regard to this matter.

3-20
p.m.

VII.—NON-OFFICIAL BUSINESS.

A. Eills.

- (1) THE MADRAS MARUMAKKATTAYAM (AMENDMENT) BILL, 1954
(L.A. BILL NO. 16 OF 1954).

* SRI M. NARAYANA KURUP: Mr. Speaker, Sir, I move—

“That the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration.”

Sir, this is a Bill that was referred to a Select Committee with the consent or approval of the Government also and in accordance with the unanimous wish of the representatives of the area affected by the Bill. It is a very simple Bill. It seeks to provide right of individual partition in place of thavazhi partition which is at present allowed by the Madras Marumakkattayam Act. Sir, the demand for such a measure was so universal that even the Hon. the Speaker, when he was a Member, introduced a similar Bill and of course it was not proceeded with further because this was already referred to a Select Committee. The Committee toured the area and gathered evidence in support of the measure. The report of the Joint Select Committee is unanimous and it has not made any fundamental changes in the original Bill except putting it in proper form and making some verbal alterations.

One of the chapters in the Marumakkattayam Act deals with impartible tarwards and in the course of our tour, we gathered that there was almost unanimous desire that that should be deleted and they, like any other tarwad, should be given the right to individual partition. There are some members of such impartible tarwards even in this House and they also strongly pleaded for it and in accordance with their desire the Select Committee has

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deleted the chapter dealing with impartible tarwads. It may be taken as a consequence to the changes that have been proposed in the original Bill and it is quite in consonance with that.

Sir, subsequent to the Select Committee's report, there has been unanimous and universal demand that the Bill may be proceeded with and passed into law. In this connexion, I wish to dispel some misapprehension whether such a Bill is necessary in view of the Hindu Code Bill. Sir, the Select Committee itself dealt with this aspect of the question. The Hindu Code Bill deals only with one aspect of the Madras Marumakkattayam Act and that is the aspect of intestate succession. Now, this Bill does not deal with that and it does not go contrary to it. It was only after considering this point that the Select Committee proceeded further and ultimately made its unanimous report. Sir, I request that this simple, non-controversial Bill be taken into consideration and passed.

SRI V. R. KRISHNA AYYAR: Mr. Speaker, Sir, while seconding the Bill, I will just say a word or two.

The partition provisions under the Madras Marumakkattayam Act are that a tavazhi, that is, a woman and her children alone can claim partition. The Bill that is now being considered introduces the principle that every member can claim partition. For instance, in a joint Hindu family, every member can claim partition independent of any other member. In the Marumakkattayam Hindu families, on account of the old impartibility and the new idea of partition which was brought in as early as 1933 when this Act was passed, a kind of *via media* was struck. It was thought that the right of partition to every member need not be given and that it might be sufficient to retain the right to tavazhi only. Then, in Malabar, the idea of individual partition progressed and when the Mappilla Marumakkattayam Act came in 1939, in Muslim joint families, every individual member was given the right of partition. Sir, the pattern of property ownership is almost identical and in 1956, ideas have been revolutionized on property ownership and we have now what is called the Hindu Succession Act. According to this Act, on the death of every member, his heirs get their share in the property as if they had a claim to partition. So, in principle, there is absolutely nothing wrong in this Bill being accepted. As my friend, Sri Narayana Kurup, said the people and members of the public affected are all avidly waiting for the passage of this Bill. Everyone is asking round the corner "What has happened to the Bill for individual partition?" A day of delay would mean that it is an impediment to the fulfilment of the wishes of the people. Therefore, I suggest that the Bill be passed at the earliest possible moment.

MR. SPEAKER: Motion moved—

"That the Madras Marumakkattayam (Amendment) Bill, 1954) L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration."

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THE HON. SRI C. SUBRAMANIAM : Sir, I may be permitted to make a statement on behalf of the Government at this stage. I am sorry we are unable to accept the motion moved by the hon. Member to take up the consideration of this Bill at this stage. That is because of two reasons. The first thing is since the introduction of this Bill and the Joint Select Committee sitting over this Bill and making its report, the Hindu Succession Act, 1956, has come into force and it has changed the entire picture. I am sure hon. Members would be aware of section 7 of the Hindu Succession Act of 1956 which deals with properties to which the present Bill is sought to be made applicable. This is what is stated in section 7 (1) of the Act :

“ When a Hindu to whom the Marumakkattayam or Nambudri law would have applied if this Act had not been passed dies after the commencement of this Act, having at the time of his or her death an interest in the property of a tarwad, tavazhi or illom, as the case may be, his or her interest in the property shall devolve by testamentary or intestate succession, as the case may be, under this Act and not according to the Marumakkattayam or Nambudri law.”

Therefore, what happens is the present generation is not affected. But on the death of a karnavan of a tarwad, tavazhi or illom, that property is not governed by the Marumakkattayam law but it shall be governed by the provisions laid down in the Hindu Succession Act. Therefore, this difficulty of impartibility will not arise. Taking into account the peculiar nature of the Marumakkattayam law and the incidence relating to the tarwad, tavazhi and illom property, is it necessary to proceed with this Bill dealing with the partition of the estate even during the lifetime of the karnavan or the head of the family? That is the question. My respectful submission is it is not necessary to provide for this. It is only very recently that the Hindu Succession Act, 1956, was passed. To introduce further changes in the incidence of property as soon after the passing of that Act is not good.

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p.m.

Secondly, there is the impending formation of the Kerala State. This problem will have to be considered by the Kerala Legislature. Therefore, for these two reasons, viz., that the Hindu Succession Act deals with succession to property belonging to tarwads and tavazhis and that the Kerala State is to come into existence shortly. I do not think we will be well-advised to proceed with this measure at this stage. I am sorry, I am unable to agree to it and it will have to be dropped, at this stage at any rate, and perhaps taken up later on, if the Hindu Succession Act does not fulfil its purpose. After all, if it is dropped, nothing is going to be lost. Of course, Mr. Krishna Ayyar, as a very clever lawyer, wanted to show that it was an urgent measure long-pending and that the people would be greatly disappointed if it was not passed. I may tell him that there cannot be any disappointment among the people since sufficient steps have been taken already and

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the Parliament, looking at the all-India picture, has provided for succession to these properties as well. I do not think, we should pass this Bill now and in spite of the very clever advocacy of Mr. Krishna Ayyar, I stand unconvinced with regard to the necessity of this law at this stage. I am sorry the Government are unable to agree to the passage of this Bill.

* SRI M. NARAYANA KURUP: The point raised by the Hon. the Minister was considered by the Select Committee on 24th January 1956. I may be permitted to read the relevant portion of the proceedings of the Committee. It is this:

"At the outset, the Chairman enquired of Sri M. Narayana Kurup, sponsor of the Bill, whether it was necessary to proceed with the Bill in view of the fact that the Hindu Succession Bill was to come up before the Parliament. Sri M. Narayana Kurup stated that the latter Bill covered only certain aspects of Marumakkathayis and hence it was necessary to proceed with the Bill. Then the Bill was taken up for consideration."

With respect to the interpretation of section 7 of the Hindu Succession Act, to say that it stands in the way of this Bill, is an argument which cannot hold water. It refers to "testamentary and intestate succession". The reference is specific. It has been stated on more than one occasion that the Marumakkathayam law is abrogated only to the specific extent mentioned in the Act. In the section relating to repeal, it is stated that only the Hindu Law of Inheritance (Amendment) Act, 1929, and the Rights of Hindu Women to Property Act have been repealed. Therefore, the Madras Marumakkathayam Act is not repealed. It is only abrogated to the extent covered by the Hindu Code Bill. The House is aware that the Madras Marumakkathayam law deals with a number of questions. It deals with right to partition, right to management, marriage, divorce, intestate partition, impartible tarwads, etc. Therefore, section 7 of the Hindu Succession Act is in no way a bar to the consideration of this Bill and I submit it may be taken up and passed.

SRI V. R. KRISHNA AYYAR: On a point of personal explanation, Sir. The Hon. the Minister for Finance was pleased to make certain remarks about my advocacy. He said that I was saying that this measure was impatiently awaited by the people and pointed out that there was no such calamity likely to happen, since the Hindu Succession Act had been recently passed. May I say that he might not have had the experience of the Malabar law in action? He might have read it and gathered ideas about it. May I explain the position? Let me take Mr. Narayanan Nambiar, with whom I could take some liberty. Under the law, as long as his mother is alive, he cannot claim a share in the property of his family. He cannot expect his mother to die soon in order that he may have his share in the property. While that is so, under the Hindu Succession Act, on the death of Mr. Narayanan Nambiar, his wife and children could get his property. The Bill brought in by Mr. Narayana Kurup only says: "Give me

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the share that falleth to me." That is the language of the Bible; that is the language of the Moplah Marumakkathayam law; that is the language of the Mitakshara law. So, the distinction is

MR. SPEAKER : I am not satisfied that this is personal explanation. The hon. Member is going into the merits of the case. I am going to put the motion to vote.

DR. K. B. MENON : Since this is a matter vitally affecting Malabar and since the Bill is opposed, I would request you to give us one or two minutes to express our opinion on the subject.

MR. SPEAKER : I thought I said that the matter was open for discussion. Nobody got up and I asked the hon. the Mover to reply.

DR. K. B. MENON : No time was given to other Members to speak.

MR. SPEAKER : Because nobody got up.

SRI C. H. KANARAN : We never expected that the Bill would be opposed. That is why we did not speak.

MR. SPEAKER : I would ask Dr. K. B. Menon to speak very briefly if he wants to say anything. I do not want to shut out discussion.

DR. K. B. MENON : As far as the merits of the case are concerned, I mean the points of law, two lawyers have spoken. I am only concerned with the second point raised by the Hon. the Minister that we are at the fag end of this session and that Malabar is going to be separated shortly from Madras. Obviously he does not want to take the responsibility for this. That is an argument I can very well understand. But I would assure him that there is absolute unanimity of opinion among the Members from Malabar in the matter. If the Hon. the Minister is not willing to accept this assurance, may I point out that even after all this discussion, there is not a single representative of Malabar who has opposed this Bill here?

If there is one I withdraw my request to the Hon. the Finance Minister. Therefore with the support and assurance of hon. Members from Malabar I request the Hon. Finance Minister to withdraw his objection. 3-50 P.M.

SRI T. C. NARAYANAN NAMBIAR : Mr. Speaker, Sir, I was actually surprised when the Hon. the Leader of the House opposed the consideration of the Bill. A perusal of the report of the Select Committee, the various memoranda and representations received from different shades of opinion including the Congress party will convince any one that the people of Malabar are unanimous with regard to the passage of this legislation. On a former occasion, I think it was when the Bill was introduced, the Hon. the Revenue Minister stated that the Government will see whether there was

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unanimity of opinion on the Bill and if there was that unanimity the Government would have no objection to the passage of the Bill. In view of the unanimity of opinion not only in the Select Committee, not only among the hon. Members in this House coming from Malabar, but also people outside where it is to be applied, I hope the Hon. Minister will give his consent to the passage of the Bill. On behalf of the Communist Party I endorse and support the Bill.

* SRI E. K. SANKARA VARMA RAJA : Mr. Speaker, Sir, it was a surprise to me also when I heard that the Hon. Minister was opposing the Bill. During the tour of the Members of the Joint Select Committee, all the Members of the Committee, all the witnesses examined including those from my 'Tavazhi' were for this Bill because each and everybody wanted to get his share. Those people who wanted partition must be given the opportunity to effect it and have their share of the property. When there is such unanimity for the passage of the Bill in the whole of Malabar, I do not know what has the partition to do with it. When even a Member like myself coming from a royal family is in favour of the Bill, I do not know why the Hon. Minister is not allowing this Bill to be passed in the Assembly.

THE HON. SRI C. SUBRAMANIAM : Sir, the Government have fully considered the position and we would not be well advised in proceeding with the Bill at this stage. I would appeal to the Members not to put the Government in an embarrassing situation. It is not only a question of unity among the Members, but it is also a matter affecting the property rights of the people in Malabar. Very recently all matters have been taken into consideration and the Hindu Succession Act has been passed by Parliament. In the circumstances to make a further departure from the practice and the customs prevailing in Malabar will not be justified, particularly in view of the impending partition. Almost all matters have been covered by the Succession Act and the present Marumakkattayam Act and only residuary things are left over such as the individual's right to property even though they may not be willing to claim partition. If this measure is considered absolutely necessary, I would appeal to the hon. Members to wait and get the motion passed in the Kerala Assembly. I don't think they are doing the proper thing in asking the Government to pass a measure of this nature now. I would therefore request the hon. Member Sri Kurup and all the other hon. Members who gave their enthusiastic support to the Bill to wait a little more and take up the matter in the proper atmosphere and proper forum. That would be my appeal to the hon. Member Sri Sankara Varma Raja also. Particularly he made an earnest appeal which did appeal to me. In spite of all that I should not merely give way to emotion and the appeals made by hon. Members. I have to take cold facts into consideration and therefore it will not be proper for us to get through the measure with only a few months more for the partition of the State. This is my submission and I hope they would appreciate the view of the Government in this matter. It is not a question of blocking any progress of the people,

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which the hon. Members want to effect there. Appreciating the Government's point of view and the embarrassing position in which we will be put, I would request the hon. Member Sri Kurup to withdraw the Bill. I hope other hon. Members also would induce him to withdraw the Bill.

SRI P. RAMAMURTHI : I have heard the Hon. the Leader of the House patiently and very carefully. I really do not know what embarrassment there is for the Government in accepting this Bill. After all, there is unanimity of opinion among all the elected Members from Malabar. There is no question of opposition as such from the elected Members of Malabar. (Interruption.) It is not a political question also. There is also no question of difference of opinion. The Hon. the Leader of the House also knows that once this opportunity is lost, it will take a considerable time for the people of Malabar to get this measure passed. After all immediately on the formation of the Kerala State there is not going to be an Assembly there. Another six months they will have to wait. When a non-controversial Bill is there and a Select Committee also had considered it even with reference to the Hindu Succession Act passed by Parliament . . .

THE HON. SRI C. SUBRAMANIAM : The picture was not quite clear.

SRI P. RAMAMURTHI : After all they have come to the conclusion that the Bill should be passed. Therefore I do not see any point of embarrassment. On the other hand I would request the Government to consider it from another aspect. Here are the Malabar people who are going to be separated from us. Let this be a parting gift (Applause from Opposition benches) to the people of Malabar from the Government of Madras. The Government should welcome this measure which is unanimously desired by the elected Members from Malabar and the entire people of Malabar. We can certainly honour that wish. There is nothing embarrassing in this. On the other hand the Government should be glad about it.

THE HON. SRI C. SUBRAMANIAM : I wish it were a gift to the people of Malabar but it has nothing to do with the entire people of Malabar. If only it is analysed it will be found that even now there is provision for partition in the 'Tavazhi' property provided all the members are agreed about it. As for succession after the death of the 'Karnavan' that is also provided for. We must understand to whom we are making the gift. It is only a few individuals that may take advantage of it within the next six months like the hon. Member Sri Narayanan Nambiar as was pointed out by the hon. Member Sri Krishna Ayyar. Then the partition will have to be worked out in the court of law. No partition could take place without going to a court. Therefore what I will be handing over to Malabar will be notices given by various members of families for partition and their going to the courts. I will be handing over a number of suits to the courts which they

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will have to dispose of soon after the partition of the State. I do not think I can be a party to it. The more I think about it the more hesitant I am to accept the Bill. I am sorry I cannot give the concurrence of the Government to the Bill.

SRI V. R. KRISHNA AYYAR : On a point of personal explanation.

MR. SPEAKER : The hon. Member should resume his seat.

SRI T. C. NARAYANAN NAMBIAR : I think a misunderstanding has arisen. As a matter of fact individually I may lose and not gain by the passage of this Bill. It is only an example which the hon. Member quoted just as the "Asoka Vanikanyayam" and "Sthalipulakanyayam".

MR. SPEAKER : I am going to put the motion to the vote of the House. The question is—

"That the Madras Marumakkattayam (Amendment) Bill, 1954 (L.A. Bill No. 16 of 1954), as amended by the Joint Select Committee, be taken into consideration."

The motion was put and lost.

4 p.m. DR. K. B. MENON : I want to make a statement, Sir, on the Madras Marumakkattayam (Amendment) Bill, 1954.

MR. SPEAKER : I am afraid that when a motion has been put to the vote of the House and declared lost, I must proceed to the next item of business unless it be that the hon. Member wants to make a personal explanation.

THE HON. SRI C. SUBRAMANIAM : Even that does not arise now, Sir.

MR. SPEAKER : Yes, we shall proceed with the Swayamariyathai Marriages Validation Bill, 1955.

DR. K. B. MENON : As a protest, we are staging a walk-out, Sir.

(Some Members from Malabar belonging to the Opposition parties then left the Chamber.)

(2) THE SWAYAMARIYATHAI MARRIAGES VALIDATION BILL, 1955.

SRI P. RANGASWAMI REDDIAR : Sir, I move—

"That the Swayamariyathai Marriages Validation Bill, 1955 (L.A. Bill No. 36 of 1955), be taken into consideration at once."

The motion was duly seconded.

THE HON. SRI C. SUBRAMANIAM : I have considered the provisions of the Bill. They need considerable changes. The Bill has got to be properly drafted. I may give this assurance to Sri P. Rangaswami Reddiar that we will have this question examined and bring an official Bill for the purpose of validating past

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marriages. As far as future marriages are concerned, they are covered by the Special Marriages Act. In view of this, I would request the hon. Member Sri P. Rangaswami Reddiar not to press his Bill. Before finalizing our Bill, we will consult Sri P. Rangaswami Reddiar whenever necessary.

SRI P. RANGASWAMI REDDIAR: No doubt some time would elapse before Government bring in their official Bill. I shall say a few words within five minutes. In the month of July 1934 one Chinnaswami Chettiar married one Rangammal. In the course of 19 years they begot four children and after 19 years the High Court held that the marriage was not valid because certain religious rites and ceremonies were not observed in the celebration of the marriage. I am not pointing out any single instance. There are several instances like that. The Hon. Leader of the House has stated while introducing the Madras Non-Conforming Marriages Bill, that thousands of such marriages were being celebrated in this State. Already three years have elapsed since the decision of the High Court. I would therefore request the Hon. Leader of the House to bring in the official Bill relating to this question at least in the September session. If he gives me such an assurance, I would not press this Bill.

MR. SPEAKER: The Bill is not pressed. Are you withdrawing the Bill?

SRI P. RANGASWAMI REDDIAR: Yes, Sir.

The Bill was, by leave, withdrawn.

(3) THE MALABAR TENANCY (AMENDMENT) BILL, 1956.

SRI V. R. KRISHNA AYYAR: Mr. Speaker, Sir, I beg leave of the House to introduce the Malabar Tenancy (Amendment) Bill, 1956.

SRI M. PALANIYANDI: I second it, Sir.

MR. SPEAKER: The question is—

“That leave be granted for the introduction of the Malabar Tenancy (Amendment) Bill, 1956.”

The motion was put and carried.

SRI V. R. KRISHNA AYYAR: Sir, I introduce the Bill.

MR. SPEAKER: The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(4) THE MADRAS POLITICAL SUFFERERS (PAYMENT OF PENSIONS) BILL, 1956.

SRI S. PANCHAKSHARAM: Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Political Sufferers (Payment of Pensions) Bill, 1956.

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The motion was duly seconded.

MR. SPEAKER: The question is—

“That leave be granted for the introduction of the Madras Political Sufferers (Payment of Pensions) Bill, 1956.

The motion was put and carried.

SRI S. PANCHAKSHARAM: Sir, I introduce the Bill.

MR. SPEAKER: The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

As the hon. Member, Sri K. M. Seethi Sahib, who has given notice of the Mappilla Marumakkattayam (Amendment) Bill, 1956, is not in his place, the Bill is deemed to have been withdrawn.

(5) THE MADRAS LEGISLATIVE PROCEEDINGS (PROTECTION OF PUBLICATIONS) BILL, 1956.

SRI P. RANGASWAMI REDDIAR: Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Legislative Proceedings (Protection of Publications) Bill, 1956.

The motion was duly seconded.

MR. SPEAKER: The question is—

“That leave be granted for the introduction of the Madras Legislative Proceedings (Protection of Publications) Bill, 1956.”

The motion was put and carried.

SRI P. RANGASWAMI REDDIAR: Sir, I introduce the Bill.

MR. SPEAKER: The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(6) THE DEVOLUTION OF STHANAMS PROPERTIES MANAGEMENT BILL, 1956.

SRI M. NARAYANA KURUP: Mr. Speaker, Sir, I beg leave of the House to introduce the Devolution of Sthanams Properties Management Bill, 1956.

SRI K. P. GOPALAN: I second the motion, Sir.

MR. SPEAKER: The question is—

“That leave be granted for the introduction of the Devolution of Sthanams Properties Management Bill, 1956.”

The motion was put and carried.

SRI M. NARAYANA KURUP: Sir, I introduce the Bill.

MR. SPEAKER: The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

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(7) THE MADRAS CULTIVATING TENANTS' PROTECTION (AMENDMENT) BILL, 1956.

SRI N. K. PALANISAMY : Mr. Speaker, Sir, I beg leave of the House to introduce the Madras Cultivating Tenants Protection (Amendment) Bill, 1956.

SRI K. VINAYAKAM : I second the motion, Sir.

MR. SPEAKER : The question is—

“ That leave be granted for the introduction of the Madras Cultivating Tenants Protection (Amendment) Bill, 1956.”

The motion was put and carried.

SRI N. K. PALANISAMY : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(8) THE MADRAS AGRICULTURISTS RELIEF (AMENDMENT) BILL, 1956.

SRI V. BALAKRISHNAN : Mr. Speaker, Sir, I beg leave to introduce the Madras Agriculturists Relief (Amendment) Bill, 1956.

SRI K. VINAYAKAM : I second the motion, Sir.

MR. SPEAKER : The question is—

“ That leave be granted for the introduction of the Madras Agriculturists Relief (Amendment) Bill, 1956.”

The motion was put and carried.

SRI V. BALAKRISHNAN : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

(9) THE MADRAS CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 1956.

SRI K. VINAYAKAM : Mr. Speaker, Sir, I beg leave to introduce the Madras Co-operative Societies (Amendment) Bill, 1956.

SRI V. BALAKRISHNAN : I second the motion, Sir.

MR. SPEAKER : The question is—

“ That leave be granted for the introduction of the Madras Co-operative Societies (Amendment) Bill, 1956.”

The motion was put and carried.

SRI K. VINAYAKAM : Sir, I introduce the Bill.

MR. SPEAKER : The Bill together with the Statement of Objects and Reasons will be published in the *Fort St. George Gazette*.

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B. Resolution.

- (1) FORMATION OF KERALA STATE LEGISLATIVE ASSEMBLY WITH THE MEMBERS OF THE MADRAS AND TRAVANCORE-COCHIN STATE ASSEMBLIES.

SRI T. C. NARAYANAN NAMBIAR : Sir, I move the resolution standing in my name, viz.—

“ That this House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with the members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof.”

SRI K. P. GOPALAN : I second the motion, Sir.

THE HON. SRI C. SUBRAMANIAM : Sir, I came here with the definite understanding that the resolution relating to “ Handlooms ” only will be taken up. Suddenly the hon. Member Sri T. C. Narayanan Nambiar has moved this resolution. I have not considered it. I would like to have time to consider it and find out what are its implications. The Lok Sabha has considered this question and the Rajya Sabha is engaged in the consideration of the Bill. There should be some meaning in moving a resolution unless it be we want to give vent to our feelings. That is not the intention of resolutions, I suppose. We want to move resolutions knowing its full implications. Therefore I would like Sri T. C. Narayanan Nambiar not to press his resolution at this stage.

4.10 p.m. SRI T. C. NARAYANAN NAMBIAR : I submit that the Hon. Leader of the House is not taken unawares, because notice of this resolution was given, a ballot was held and it secured the first place in the ballot and it is included in the agenda as the first item under “ Resolutions ”. Even now, I think, he anticipated fully well that this resolution would be called and that I would move it.

THE HON. SRI C. SUBRAMANIAM : No doubt it has come first in the list. But I would like the hon. Member to consult the Leader of his Party. According to the understanding that we arrived at, only the resolution relating to handloom weavers would be taken up to-day. So, I am not prepared. After all I should study the resolution and know its implications. If the hon. Member is very keen on moving the resolution, I shall have it examined and we can take it up in September.

* **SRI M. NARAYANA KURUP :** There is no motion before the House that this resolution be passed over. Now the Hon. Minister says that there was some understanding. Even if there was some understanding, proper procedure must be followed: a motion must be moved that this resolution be passed over and the next resolution be taken up. Finding fault with Members, I submit, is not proper.

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MR. SPEAKER : The Hon. Leader of the House is asking the mover of the resolution whether, in view of the understanding, he would like to have the resolution postponed to another date. It is open to the hon. Member to say whether he agrees to it or not.

SRI P. RAMAMURTHI : I would like to make the position clear. A number of Members had given notice of an identical resolution with regard to handloom weavers. The Hon. Sri M. Bhaktavatsalam told me—the Hon. Sri C. Subramaniam also was present at that time—that, in view of this fact, it was better that they all agreed to give priority to it and took it up as the main business. At that time I personally felt that it was an arrangement which could be agreed to. But subsequently the Leader of the House and I had a discussion. In view of the fact that Malabar is going to be separated very shortly and also in view of the fact that the States Reorganization Bill has been passed only by the Lok Sabha and has not yet been finally passed by the Rajya Sabha, I thought that there was a likelihood of the Rajya Sabha accepting any recommendation that we might make. Therefore it is, I said that the Member could move the resolution.

MR. SPEAKER : The question is whether the resolution should be taken up now.

SRI T. C. NARAYANAN NAMBIAR : It may be taken up, Sir.

MR. SPEAKER : I have no option in the matter. The resolution will be proceeded with.

SRI T. C. NARAYANAN NAMBIAR : This resolution is in consonance with a principle which we have adopted during the discussion on the States Reorganization Bill. I would draw attention to the unanimous resolution of this House that the Members of the Travancore-Cochin State Assembly representing the areas to be merged with the Madras State will become Members of the Madras Assembly from the date of the merger. Unfortunately, the Travancore-Cochin State Assembly has been dissolved by the President of the Indian Union. Though there is no emergency in the State, there is no aggression from outside, there is no internal trouble and everything is going on peacefully. President's rule has come in because of the peculiar circumstances there. The fact that that Assembly has been dissolved does not stand in the way of our accepting the content of this resolution, because we have already accepted the principle underlying this resolution in respect of the Members of the Travancore-Cochin State Assembly representing the areas to be merged with the Madras State.

Another point that I wish to emphasize is that on the auspicious day of reorganization of the States, no territory in India should be without a Legislature. The Karnataka Members will be joining

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the Mysore Assembly and the Tamilnad Members of Travancore-Cochin State will be joining the Madras Assembly. I do not understand why the Malabar Members of this Assembly and the Members of Travancore-Cochin State Assembly should not join together and form the Assembly of the Kerala State.

I hope the Hon. Minister will concede the principle of my resolution and accept the resolution.

* SRI M. NARAYANA KURUP: Had the Rajya Sabha also passed the States Reorganization Bill, of course the hon. Member would not have pressed this resolution. I thought that this Government would be willing to make such a proposal, whatever might be the ultimate result. The Madras Government are not responsible for the President's Rule in Travancore-Cochin State. However, Malabar and other areas being part and parcel of this State, it is the duty of this Government to see whether, along with States reorganization, anything can be done to set up a legislature and a popular ministry in the Travancore-Cochin State. They may succeed or they may not succeed. We find that in respect of the States Reorganization Bill, Parliament has got full and plenary powers to make any arrangement with respect to representation of areas transferred to another State. We find that even schedules are attached with respect to Council of State Members and Legislative Council Members. Having regard to the situation obtaining in the Travancore-Cochin State, it is quite within the competence of this Government to try whether any amendment could be made in the Bill providing for a temporary arrangement till the general elections take place. We know that changes are made in the Bill at the eleventh and even the twelfth hour; only the ruling party have the mind to make the change. Whether our resolution will carry such weight as to move the Central Government, I am not sure. But if there is a will, the Central Government can find a way out. It will be our satisfaction that we being part of the Madras State, this Government did their best to avoid President's Rule in the Kerala State. I submit that this resolution is quite in order and is opportune even at this late hour and I hope the Hon. Leader of the House will agree to its being passed.

4-20 P.m. SRI K. P. GOPALAN: I support this resolution. By this resolution, we are not blaming this Government. This Government should see that an Assembly and a popular ministry are set up in the Kerala State on the 1st of November. By this resolution we are only conveying to the Central Government and the party in power the feelings of the people of Malabar. I am sorry that on 1st November 1956—an auspicious day—there will not be any Assembly in Kerala. I feel that this is no good augury for the Congress Party in power. I want to state here that certainly the people of Malabar will never welcome the officers' rule in the place of a democratic Government. What I feel is that if the Malabar Assembly members and the dissolved Travancore-Cochin State Assembly members join together, a stable Government can

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be formed in Kerala. What is understand is that the party in power wants only the Congress Party to rule the country. It never wants any other party to come into power. It does not want the representatives of the people to form a ministry. That political implication is always there. I want to bring this out clearly before the House. That is the political motive. That is why I want to explain it so clearly.

I wish to state here that I am not concerned whether the Finance Minister opposes the resolution or supports it. But I want to make clear to this House the feelings of the people of Malabar that they would never prefer the officers' rule to a democratic Government. The people of Malabar will always stand for democracy. With these words, Sir, I resume my seat.

* **SRI C. H. KANARAN :** മിസ്റ്റർ സ്പീക്കർ, സർ, ഭാഷാടിസ്ഥാനത്തിലുള്ള സംസ്ഥാന പുനസ്സംഘടന ഈ രാജ്യത്തിലെ സ്വാതന്ത്ര്യം കൈയ്യിട്ടുള്ള ഒരു സംഗതിയാണ്. അങ്ങനെ ഭാഷാടിസ്ഥാനത്തിലുള്ള സംസ്ഥാന പുനസ്സംഘടന നടപ്പിൽവരുന്ന സന്ദർഭത്തിൽ കേരളത്തിൽ മാത്രം ഒരു നിയമസഭ ഇല്ലാതിരിക്കുകയും കേരളം മുഴുവനും ഒരു ഭാഷാടിസ്ഥാനത്തിൽ അയ്യപ്പം ഉത്തരവാദിത്വമുള്ള ഭാഷാടിസ്ഥാനത്തിൽ ആണ് പറയുന്നില്ല— ഇന്ത്യാ ഗവണ്മെന്റ് നിയമിക്കുന്ന ഒരു ഭാഷാടിസ്ഥാനത്തിൽ ഭരണത്തിന് കീഴിൽ

THE HON. SRI C. SUBRAMANIAM : On a point of order, Sir. I am sorry that hon. Members are casting aspersions on the President's rule. It is not an officer's rule. It is the President's rule. The Government is carried on by the laws made by Parliament. So, to say that it is an officer's rule on the floor of this Assembly, with which we have no concern at all, and cast aspersions on the President's rule, would be quite out of order. I thought hon. Members would just make a casual observation and leave it at that. To say that it is an officer's rule will be casting aspersions on the President's rule and Parliament which we are not competent to do here.

MR. SPEAKER : Malabar is not now under the President's rule. What the hon. Member is saying is that after the 1st of November, it will be unfortunate if it comes under the President's rule.

THE HON. SRI C. SUBRAMANIAM : The hon. Member is saying " officer's rule ". That is not the way of saying it.

MR. SPEAKER : പ്രസിഡന്റിനെപ്പറ്റി സംസാരിക്കുന്നത് കുറെക്കൂടെ ശ്രദ്ധിച്ചും നിയന്ത്രണങ്ങൾക്കുകീഴിലും വേണം.

* **SRI C. H. KANARAN :** സർ, പ്രസിഡന്റിന്റെ പദവി എന്തെന്നതും യാലും, കേരളത്തിലെ ജനങ്ങളുടെ നിയമസഭ തിരഞ്ഞെടുത്ത ആദ്യ കേരളത്തെ ഒരിക്കൽപോവുന്നതും. എന്തെല്ലാം പറഞ്ഞാലും ജനാധിപത്യം അടിസ്ഥാനത്തിലുള്ള ഒരു ഭരണം കേരളത്തിലെ ജനങ്ങൾ സ്വീകാര്യമല്ലെന്നു അനുഭവിക്കുമായി പ്രഖ്യാപിച്ചു കൊള്ളട്ടെ. അതാണ് കേരളത്തിലെ ജനങ്ങളുടെ നിലപാട്. അതിനെക്കുറിച്ച് ആരും സംശയമുണ്ടാകരുത്. പിന്നെ അത് ശരിയോ തെറ്റോ എന്നെല്ലാം ബുദ്ധിമുട്ടെടുക്കേണ്ടതല്ല സംശയമുണ്ടായിരിക്കാം. അത് അദ്ദേഹം പീനീഷ് ആലോചിച്ചു നീക്കം ചെയ്തുകൊള്ളട്ടെ. എന്റെ അഭിപ്രായം ഇതാണ്. അത് പറയാതിരിക്കാൻ നിവൃത്തിയില്ല.

[Sri C. H. Kanaran]

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സർ, ഈ പ്രമേയത്തെപ്പറ്റി ചർച്ച ചെയ്യുമ്പോൾ പ്രധാനമായി ഗൗരവത്തോടെ കരുതേണ്ട സംഗതികളുണ്ട്. എന്നാണ് കേരളത്തിൽ മറ്റും ഈ പുനഃസംഘടനാവേളയിൽ ഒരു നിയമസഭയേണ്ടതെന്നുള്ളതുകൊണ്ടാണ്? തിരുവിതാംകൂർ-കൊച്ചിയിലേയും മലബാറിലേയും കോൺഗ്രസ്സ് എം. എൽ. എ. മദ്രാസ് പ്രദേശങ്ങളിലെ കോൺഗ്രസ്സ് അസംബ്ലിയിൽ കോൺഗ്രസ്സിനു ഭൂരിപക്ഷം കിട്ടാൻ പോവുന്നില്ല. അവിടെ കോൺഗ്രസ്സിനു ഭരിക്കാൻ കഴികയില്ല എന്നും ബോധ്യമായിരിക്കുന്നുണ്ടെന്നാണ് കോൺഗ്രസ്സുകാരുടെ മറുപടി. ഭരിക്കുതക്കതള്ള വിചാരത്തിൽ മുൻകൂട്ടി ഒരു പുതിയ കൊണ്ട് തിരു-കൊച്ചി അസംബ്ലി പിരിച്ചുപിടുത്തേണ്ടതാണ്. നഗ്നമായ ഈ പരാമർശം മറുപടിയുടൻ എത്ര പ്രധാനമന്ത്രിമാർ ശ്രദ്ധിച്ചാലും, എത്ര മുഖ്യ മന്ത്രിമാർ ശ്രദ്ധിച്ചാലും, സാധ്യമല്ല. ഒരു രാഷ്ട്രീയമായ ഉപജാപങ്ങൾ നൽകേണ്ടതാണ് തിരു-കൊച്ചി അസംബ്ലി പിരിച്ചുപിടുത്തുന്നതിനുള്ള പരാമർശത്തെ ആദ്യം നിഷേധിക്കാൻ സാധ്യമല്ല. തങ്ങളെല്ലാരുടെ മറുപടി ഭരിക്കുതക്കതള്ള എന്നുള്ള സോഷ്യലിസ്റ്റ് മുന്നേറ്റം സന്നിധിയാണ്. ഇത് നടപടിയുടെ പിന്നിലുള്ളതാണ്. ജനാധിപത്യത്തെപ്പറ്റി സഭാ പ്രസംഗിക്കുകയും പ്രയോഗത്തിൽ അതിനെ പൂർണ്ണമായി വലിച്ചെറിയുകയും ചെയ്യുന്ന കോൺഗ്രസ്സിന്റെ നയത്തിന് മെട്രോപൊളിറ്റൻമാണ് തിരു-കൊച്ചിയിലുള്ളതായ അസംബ്ലി പിരിച്ചുപിടുത്തേണ്ടതാണ്. തിരു-കൊച്ചിയിൽ നടന്നുവരുന്ന ഒരു തിരു-കൊച്ചി അസംബ്ലി പിരിച്ചുപിടുത്ത കഴിഞ്ഞു. സർ, അതിനു മലബാറിൽനിന്നും കോസ്റ്റലിൽനിന്നും വരുന്ന എങ്ങനെയെങ്കിലും പ്രിയപ്പെട്ട? മലബാറിനെ ജനങ്ങളും സാധാരണ തിരഞ്ഞെടുത്തതായ പ്രതിനിധികളും എല്ലാ തിരഞ്ഞെടുത്തതായ തങ്ങൾ തിരഞ്ഞെടുത്തതായ തങ്ങളെ ഭരിക്കുന്നതാണ് ജനങ്ങളായതല്ല. തിരഞ്ഞെടുക്കപ്പെട്ട പ്രതിനിധികൾ ഭരിക്കാൻ പാടില്ല, അധാരാലോചിതമായിട്ടുള്ളതാണ്. തിരു-കൊച്ചിയിൽ പ്രസിഡെൻ്റ് നിയമിച്ചിട്ടുള്ള ഒരു ജനാധിപത്യമന്ത്രിയെ ഭരണം മലബാറിലേയ്ക്കുകയോ നിമിഷം കൊള്ളണം എന്നാണ് ഗവണ്മെന്റിന്റെ നിലപാട്. ഇതാണ് ജനാധിപത്യം? ഇതാണ് ജനങ്ങളുടെ ജനാധിപത്യം? ജനങ്ങളെ സ്വീകരിച്ചുകൊള്ളണം എന്ന പരഞ്ഞാലോചനയിൽനിന്നുവെക്കേണ്ടതാണ്.

മറ്റൊരു കാര്യം കൂടി ഗൗരവത്തോടെ പരിശോധിക്കേണ്ടതാണ്. തെക്കൻ തിരുവിതാംകൂറിലെ തമിഴ് പ്രദേശങ്ങൾ മലിനമായിരിക്കുകയും ചെയ്യുന്നതിനാൽ അവിടത്തെ മുൻ എം. എൽ. എ. മദ്രാസ് പുനർജീവിപ്പിച്ച് മലിനമായിത്തീർന്ന അസംബ്ലിയിൽ കൊണ്ടുവരുന്നതിനുള്ള ഇവിടെ ബഹുമാനപ്പെട്ട മന്ത്രിയുടെ ഒരു പ്രമേയം അവതരിപ്പിച്ച് പാസ്സാക്കേണ്ടതാണ്. അതിനെ നോക്കുക കാരണം? തെക്കൻ തിരുവിതാംകൂർ എന്ന പേരിൽ വലിയൊരു പരമ്പരയും കോൺഗ്രസ്സിനു കാരണം. ഇവിടെനിന്നും പോകാനുള്ളവരിൽ കോൺഗ്രസ്സിന് വളരെക്കുറവാണ്. തങ്ങളുടെ പക്ഷത്തുള്ളവരാണ് വരാൻ. മറ്റൊരു നിയമസഭയെ നവീകരിക്കുകയും അവർ പുറത്തുപോകുന്നതാണ്. അതല്ല ഈ പറയുന്നതിന്റെയും കോണിക്ടാണെന്നതിന്റെയും അർത്ഥം? തെക്കൻ തിരുവിതാംകൂറിലെ പഴയ എം. എൽ. എ. മാർ ഈ അസംബ്ലിയിൽ സ്ഥാനം നൽകുന്നത് ന്യായമാണെങ്കിൽ തിരു-കൊച്ചിയുടെ ബാക്കി ഭാഗങ്ങളിലെ എം. എൽ. എ. മാർ എപ്പോഴൊക്കെ കേരള അസംബ്ലിയിൽ സ്ഥാനം നൽകുകയും? ജനാധിപത്യത്തിന്റെ ന്യായമാണെങ്കിൽ അങ്ങനെയൊക്കെ തെക്കൻ താലൂക്കുകളിൽ മാത്രമല്ല മറ്റും ഭാഗത്തെയും കൂടെ വ്യാപിപ്പിച്ചുകൊടുക്കണം? അതാണ് ചോദ്യം. തെക്കൻ തിരുവിതാംകൂറിനെ സംബന്ധിച്ചിടത്തോളം ഗവണ്മെന്റിന്റെ ന്യായമെന്ന് സമ്മതിച്ചിട്ടുള്ള ജനാധിപത്യ തത്വത്തിന്റെ അടിസ്ഥാനത്തിലാണ് എന്റെ സ്റ്റേറ്റ് മിനി. സി. നോവലേണർ നമ്പ്യാർ ഈ പ്രമേയം അവതരിപ്പിച്ചിട്ടുള്ളത്. ന്യായത്തിന്റെയും സത്യത്തിന്റെയും ജനാധിപത്യത്തിന്റെയും പേരിൽ മിറട്ടിനെ മിറട്ടിനെ നെടുകെ മുറിക്കുകയും പ്രസംഗം ചെയ്യുന്ന മന്ത്രിമാർ ഈ പ്രമേയത്തെ പിന്തുണയ്ക്കുന്നില്ലെങ്കിൽ അവർ ഈ പറയുന്നതിലൊന്നും വിശ്വാസമില്ലെന്നാണ്. ഈ പ്രമേയത്തെ എതിർക്കുന്നവർ തങ്ങൾക്ക് ജനാധിപത്യത്തിൽ വിശ്വാസമില്ലെന്നും പ്രഖ്യാപിക്കുകയായിരിക്കും ചെയ്യുന്നതെന്ന് ഓർമ്മിപ്പിച്ചുകൊണ്ടു എന്റെ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളാം.

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a resolution which will be impracticable and which will not be possible of implementation also. I would request hon. Members to read carefully the resolution as it stands. The resolution says—

“ This House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof.”

In the Travancore-Cochin State, the Assembly has been dissolved and at present there are no members of the Assembly. To say, therefore, that with the members of the Travancore-Cochin State Assembly, an Assembly be formed for the future Kerala State has no meaning at all. We will only be a party, if we pass the resolution, to a certain thing which will be impossible of implementation. Secondly, we find that the Lok Sabha has already considered the State Reorganization Bill and the Rajya Sabha is considering it. If there was something urgent about it, certainly this subject should have been brought forward much earlier. Certainly representations could have been made to the Government to allot time for this as soon as the Assembly sittings commenced so that this recommendation could at least be considered by the Government of India for what it is worth. But now there is absolutely no chance. We will be passing the resolution to-day. To-morrow is a holiday. Even if we send the resolution to Delhi with the utmost expedition, it will reach Delhi only after the consideration of the Bill is over in the Rajya Sabha also. Therefore, let us be practical men. Having given expression to their feelings, I hope hon. Members would stop with that and not press this resolution to the vote of the House. Further, Sir, hon. Members are aware that a Proclamation of the President's rule can last only for six months. For another six months, Parliament will have to give its concurrence for the extension of the President's rule. What the Parliament is going to do, we do not know. If at all any Assembly is to be constituted, it could be constituted only by an election in the Travancore-Cochin State. We have to consider that as practical men. In this respect, we have to see whether this is a reasonable resolution to which this Assembly can be a party. I fully sympathise with the lot of the Members coming from the Malabar district, particularly because, for no fault of theirs they would find themselves in no Assembly after the reorganization. But, these are the advantages and disadvantages arising out of the reorganization of States. This is all because of the unfortunate situation prevailing in the Travancore-Cochin State. We are not here to pass judgment over the Proclamation issued by the President or the state of affairs in the Travancore-Cochin State. That has to be considered by the people of the Travancore-Cochin State and the representatives of the Travancore-Cochin State in the Parliament and by the President. They are all

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p.m.

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responsible men. I am sure they would have taken adequate measures to make representations in the Parliament with reference to this state of affairs. To think, Sir, that the representative of that State in the Parliament and the representatives of Malabar in Parliament would be voiceless and they would not be able to put forward their point of view in the Lok Sabha and in the Rajya Sabha is to think that we alone are aware of our rights in this regard. I can assure the hon. Members of this House that Members in the Lok Sabha and the Rajya Sabha are as much representatives of the people as Mr. Kanaran or Mr. Narayanan Nambiar or anybody else. In a way, they have greater representation, because they represent a larger number of people in the Union Parliament. If there were nobody in the Lok Sabha or the Rajya Sabha to represent these matters and this was the only forum where we could give expression to these things, I could very well understand a resolution of this kind being discussed here and passed. But there are representatives of the Travancore-Cochin State in the Lok Sabha and Rajya Sabha and there are representatives coming from Malabar district in the Lok Sabha and Rajya Sabha. We will be casting a reflection on the competence and capacity of these representatives in the Parliament if we at this very late stage—it is not even the eleventh or twelfth hour, it is something beyond the twelfth hour even—pass a resolution which, as I have said already will have absolutely no meaning and be impossible of implementation. We will only be a party to passing a resolution which has no meaning, and which we realize even now is impossible of implementation. I do not think the House will take up the responsibility of being a party to passing such a resolution. I request the hon. Members, having given expression to their points of view to leave it at that. I am sure the Members in Parliament, the Government of India and the President will take note of the feelings of the hon. Members of this House expressed on the floor of the House over this question.

SRI T. C. NARAYANAN NAMBIAR : Mr. Speaker, this is an Assembly which has passed unanimously a resolution to allow the Members coming from the Tamil area of the Travancore-Cochin State

THE HON. SRI C. SUBRAMANIAM : All that is over now.

SRI T. C. NARAYANAN NAMBIAR : That may be over now. But at that time also all of us were aware that the Travancore-Cochin State Assembly had been dissolved.

THE HON. SRI C. SUBRAMANIAM : That is why, I think in the other resolution, it had been stated, 'Members of the Assembly at the time . . . '.

SRI T. C. NARAYANAN NAMBIAR : If that fact had been taken cognizance of by this House and if they had overcome a technical difficulty at that stage, the legal capacity of the Hon.

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Leader of the House must come to the help of the Mover of the Resolution. On a former occasion, when the Malabar Tenancy (Amendment) Bill was discussed and passed into law by this House, everyone of us was aware of the fact that even a great person like Mr. C. Rajagopalachari was not averse to bringing forward technical amendments on the spur of the moment to set right certain defects. Similarly, if there were mistakes, certainly, they could be rectified. If any defect in the wording of the resolution, according to the Hon. Leader of the House, was the only impediment and obstacle standing in the way of acceptance of this resolution, surely, that can be overcome by adding the word "dissolved" or some such words. Nobody will object to that. That is not the difficulty. The Hon. Leader of the House stated that this House should not be a party to the passing of such a resolution. But, I firmly think that this House must be party to doing justice to the territories wherefrom representatives of the people come as Members of the Legislature, who, for no fault of theirs, will find themselves in no Assembly. They will have no opportunity to represent to the Government and discuss matters in a democratic way. In the next three or four months, they will be voiceless and will not be able to give their views and opinion on the various matters affecting the people, such as the implementation of the Second Five-Year Plan and matters like that.

The Hon. Leader of the House stated that the Lok Sabha and the Rajya Sabha did not accept any amendment in this regard. Of course, Members coming from the Malayalam-speaking areas have moved certain amendments in this regard, but they were not accepted. My contention is that this Assembly has passed a resolution unanimously with regard to certain Members of the dissolved Travancore-Cochin State Assembly recommending that they may be permitted to sit in this Assembly after reorganization. But, no such resolution has been passed by this Assembly on the position of the Members coming from the Malayalam-speaking area and that would have been the reason for the Parliament's not accepting any amendment. According to the Constitution, the President can make the necessary rules and take suitable steps to do justice for the masses of the country. So, I am unable to accept the argument put forward by the Hon. Leader of the House.

THE HON. SRI C. SUBRAMANIAM: I am sorry I cannot accept the resolution. I will have to oppose it on behalf of the Government.

MR. SPEAKER: Instead of putting the resolution to the vote of the House, I would like to know from the hon. Member whether he would be satisfied if the proceedings of this House on this resolution, without taking a decision on the same were transmitted to the Government of India. In that case, the hon. Member need not press his resolution.

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(2) DISTRIBUTION OF YARN TO HANDLOOM WEAVERS AT FAIR PRICE
AND THE TEXTILE POLICY OF THE GOVERNMENT OF INDIA.

SRI T. C. NARAYANAN NAMBIAR : Sir, I request that my resolution may be put to the vote of the House and at the same time, the proceedings of the House may also be sent.

MR. SPEAKER : I now put to vote the resolution of the hon. Member Sri T. C. Narayanan Nambiar. The question is—

“ This House recommends to the Government of India and the President of the Indian Union to take steps to constitute the Kerala State Legislative Assembly on the eve of the reorganization of the New Kerala State with Members of the Madras and Travancore-Cochin State Assemblies of the proposed Kerala Region as members thereof.”

The Resolution was put and lost.

SRI P. RAMAMURTHI : Mr. Speaker, I move the Resolution that stands in my name and which reads as follows :—

“ This Assembly is of opinion that the new textile policy of the Government of India would lead to displacement of a number of handlooms and cause unemployment and distress among the handloom weavers and therefore recommends to the Government of India to rescind their policy ; and

This House further recommends to the Government of India that an adequate proportion of yarn produced be set apart exclusively for handlooms as distinct from powerlooms and that such proportion of yarn be compulsorily procured by the Government and distributed to the handloom weavers at a fair price.”

4.40 p.m. Sir, I wish to speak on this resolution in English contrary to my normal practice because the Government have agreed that as this is a very important question, they would like to forward the proceedings of the entire debate to the Government of India. Unfortunately the time at the disposal of the House is very short and probably the discussion on this question may be inconclusive; nonetheless in view of the importance of this subject, I wish to utilize the time available now to explain in brief what exactly has been the policy of the Government of India.

Now, Sir, when the Second Five-Year Plan was drafted, the allocation of cloth and yarn as between the mills and handlooms was not finally decided upon. As a matter of fact, with regard to the consumer goods, the Second Five-Year Plan makes the position clear. It says—

“ Overall targets for cloth and yarn production have been envisaged at 8,500 million yards and 1,950 million lb. respectively by 1960-61. A firm allocation of this output as between the mills and the decentralised sector (powerlooms and handlooms for cloth and Amber Charka for yarn) has yet to be made. In fact, however, the spindleage already installed and licensed for installation is sufficient to produce 1,950 million lb. of yarn.”

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This is a matter in which the entire State of Madras is vitally interested. We all know that out of the 22 lakhs of looms that are in operation throughout this country, more than 5 lakhs of looms are in operation in Tamil Nad alone. I am not speaking about Malabar now. At the rate of four members per family about 2 million people are dependent on the working of the handlooms for their daily avocation. Therefore, we are vitally interested to know what is provided for handlooms in the Second Five-Year Plan. We want to know whether the policies of the Government are going to further aggravate the problem of unemployment in the State or whether they are going to abate the problem of unemployment. It is primarily from that point of view that I wish to focus the attention of the Government as well as this House on this important question. Sir, when the Second Five-Year Plan was published, the Government of India at that time had not come to a definite decision in respect of this matter. Powerful pulls were operating—pulls from the side of the big mill-owners who in the name of the suppliers of consumer goods were pulling the Government of India in one direction. The Planning Commission was pulled in another direction. As against these pulls, the common people of this country want that the policy of the Government should not lead to the strengthening of the monopolists in our country, particularly those monopolists who are entrenched in the oldest industry of our country, viz., the textile industry. In this connexion, I would refer to the statement made recently by the Industries Minister of the Government of India. Mr. T. T. Krishnamachari, with regard to the new policy in respect of the textile industry. What does it boil down to? I will give in a brief outline the main points of that policy. Mr. T. T. Krishnamachari says that at the end of the Second Five-Year Plan period, the demand for cloth is likely to go up. To-day we are consuming at the rate of about $16\frac{1}{2}$ yards of cloth per head on the average and he expects that at the end of the Second Plan period, the consumption of cloth would go up to $18\frac{1}{2}$ yards of cloth per head. We have to take into account the fact that population is also likely to increase during that period. At the end of the Second Five-Year Plan period, that is, in 1961 the population of India is likely to be of the order of 400 million or 40 crores of people. Therefore, by multiplying 40 crores by $18\frac{1}{2}$ yards of cloth required per head, he comes to the conclusion that 740 million yards of cloth would be required in 1961. To-day we are exporting about 850 million yards of cloth and he expects that if we step up our exports, we will be able to reach a target of 1,000 million or 100 crore yards of cloth. On these two assumptions, he comes to the conclusion that the total requirements of cloth at the end of the Second Five-Year Plan period will be of the order of 8,400 million or 840 crore yards of cloth. To-day the mills are producing about 5,000 million or 500 crore yards of cloth but the handloom sector, according to him, is able to produce only about 150 crore yards of cloth. Already, the powerlooms that are installed in the various parts of the

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country as for instance in Bombay, Berhampore and Ahmedabad are producing about 20 crore yards of cloth. So, the total cloth production in our country including the mill sector, the handloom sector and the decentralised powerloom sector—if we like to call it—comes to 670 crore yards of cloth. But our cloth requirements at the end of the Second Five-Year Plan will be of the order of 840 crore yards of cloth. Thus there will be a surplus demand for about 170 crore yards of cloth and therefore, he says: “I want to do justice to all people. I would do justice to the biggest mill-owners; I would also do justice to the people who start power-looms; and I would also do justice to the handloom weavers.” In that way he seeks to dispense even justice to all sorts of people. According to that policy, in order to meet these additional cloth requirements, the mill sector will be allowed to increase its production to the extent of 35 crore yards of cloth, for which purpose licences will be granted for the installation of 14,600 automatic looms in this year itself and orders have already been placed for the supply of these automatic looms with firms in foreign countries like the United Kingdom and America and these looms would be located particularly in Bombay and Ahmedabad. These looms would produce, according to him, about 35 crore yards of cloth. Apart from that, he says, that licences would be issued for about 35,000 powerlooms preferably in the Co-operative sector but if the Co-operative sector does not take them up, then other people will take them up and licences will be issued to them to install about 35,000 powerlooms in the course of this year and next year. He says that these 35,000 powerlooms will produce about 20 crore yards of cloth. Now what is left is nearly 100 to 120 crore yards of cloth which would be required by the people of our country. Therefore, he says, there is ample and great scope for the development of the handloom industry, and in that way the Government of India are doing justice to all sorts of people. This is how Mr. Krishnamachari has tried to justify his policy.

Now, what are the facts? First of all, we must take into consideration the assumptions on which Mr. Krishnamachari and the Government of India have based their policy and whether those assumptions are correct and whether the facts as disclosed by the statistics available to the Government of India and the Planning Commission justify these assumptions at all. At this stage I do not want to give a detailed story of the long discussions that had taken place at the meetings of the Planning Commission and the Handloom Board and the statements made by Mr. Krishnamachari on the one hand and Mr. Gulzarilal Nanda, a Member of the Planning Commission, on the other. I do not want to go into that aspect of the matter now. But let us take the facts as they are. First of all, the Government of India say that they are going to increase the demand for our cloth in the export market. Are they sure that this increased demand in the export market is going to fructify? No. Even Mr. Krishnamachari has made it clear

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that there is a lot of competition and it may not materialize. Therefore, when it does not materialise, what is going to happen to that cloth which is now sought to be produced exclusively for export markets? That cloth is going to compete with the cloth that is produced to meet our internal requirements in the country.

4-50
p.m.

First of all, the assumption that there is going to be increased demand in the export market is wrong. However much we might desire that our export of cloth must increase in order that we might earn more of foreign exchange to finance our industrial programme, it must be understood that this question of increasing our export after all is not something in our hands, that it is not decided by our wish or by our desire but it is dependent upon competitive markets in the outside world. To-day, Britain and Japan are our primary competitors in the South Eastern markets on which we depend very much for the export of cloth produced by us. In the African markets also we face bitter competition. In view of these factors, to come to the conclusion that there will be a definite demand for increased export at the end of the Second Five-Year Plan and to base our policy on that assumption which cannot be easily substantiated and for which there is no definite proof, I think is quite a wrong way of deciding the policy.

Secondly the Government of India have stated that the capacity of the installed loomage in our mill industry is of the order of 5,000 million yards. It is no doubt true that the total production in the year 1955 has been of the order of 5,000 million yards in the mill sector. But the question is, whether it is their capacity or whether the mills were working 'under capacity'? It has been pointed out to the Government of India that on the basis of 214,000 looms that have already been installed in the mills in our country to-day and on the basis of 50 yards of cloth per loom in about 8 hours and also on the basis that the mills work two shifts every day, something like 6,000 million yards of cloth could be produced. Mr. T. T. Krishnamachari very strongly contested this point. But what has actually happened to-day? The Government of India have licensed for 14,600 additional automatic looms and these looms have not still been imported into our country. Only orders have been placed for them. With the same number of installed looms continuing in operation, hon. Members will find from the Government of India's announcement in the papers three or four days ago that the production of cotton yarn and cotton cloth had reached an all-time record during the month of July of 145 million pounds of yarn and 478 million yards of cloth. Mr. T. T. Krishnamachari, just about a month ago, stated that our looms were not capable of producing more than 5,000 million yards of cloth. Within one month of the announcement of the policy of the Government of India, within one month of the grant of licences for additional 14,600 automatic looms, the mills with the already installed looms continuing in operation have been able to produce 478 million yards of cloth and on this basis it can be inferred that

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our mills are capable of producing 5,736 yards of cloth, i.e., 478 million yards multiplied by 12. Therefore the existing capacity of the installed looms in our mills is not 5,000 million yards on the basis of which the entire textile policy of the Government of India is formulated. But it is very nearly 6,000 million yards. Therefore, the second assumption on which this edifice of the textile policy is built up also collapses.

Now, we are going to install according to the policy laid down by the Government of India, 14,600 automatic looms. Are we not going to produce more cloth as a result of this additional installation? Certainly we are going to produce more cloth. If we go and ask any textile worker in any textile mill, he will say that on a single loom he is capable of producing between 50 and 55 yards of cloth. An automatic loom is capable of producing a little more than an ordinary loom because of the effect of certain operations. Therefore the capacity of the automatic loom is a little more than an ordinary loom—15 to 20 per cent more. Mr. T. T. Krishnamachari's policy is not based on the productive capacity of the existing looms together with the possible increase in production as a result of the installation of 14,600 automatic looms. If reality is to be taken into account, if the actual productive capacity is taken into account, we will find that on the basis of two shifts, 50 crores of yards of cloth will be produced. We cannot also shut out third shifts. Mr. T. T. Krishnamachari states that the installation of additional looms would not mean additional production of cloth. On what basis he makes that statement, I do not know. To-day, Sir, we are making proposals for having three shifts in Madurai and the Hon. Minister Mr. Bhaktavatsalam knows about it. The management of the mills in Madurai are trying to make out proposals with regard to what is called 'deployment of labour force'. They are proposing to solve the problem of unemployment by introducing a third shift. Mill-owners are agreeable to have three shifts because they will be able to get additional profits. In Coimbatore, there are certain mills which work three shifts. In Bombay and in Ahmedabad, 50 per cent of the mills work three shifts. In Cawnpore, mill-owners are coming up with proposals for working three shifts. But Mr. T. T. Krishnamachari says that by working three shifts there will not be additional production. It cannot be denied that by working three shifts we will get additional production. If a third shift is run—inevitably the Government of India will have to agree to run three shifts to solve the problem of unemployment—the production of cloth will increase and it will be between 50 and 70 crores of yards of cloth. The entire additional demand, the entire additional production that is supposed to be required—nobody is certain about the additional demand and about how much the people are going to require in the future—is going to be satisfied by the mills themselves.

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Over and above that, they are going to license 35,000 power-looms. What are these powerlooms? I would like to point out to the Members of the House that they are the same looms as are installed in the mill. The only difference is that in a mill, all the processes of sizing, warping and woofing, etc., are done inside the mill, whereas so far as the powerlooms are concerned these processes are done either by the handloom worker or in a mill for which service charges are paid. What we call the beam is brought and it is put on the loom and worked. (At this stage the Speaker sounded the gong.)

MR. SPEAKER: The House will now adjourn *sine die*.

The House then adjourned *sine die*.



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APPENDIX I.

[Vide answer to clause (d) of starred question No. 124 asked by Sri M. Kalyanasundaram at the meeting of the Legislative Assembly held on 18th August 1956, page 759 supra.]

Conciliation Report No. A. 3-21695/56, dated 15th May 1956, of the Commissioner of Labour, Madras.

Labour—Disputes—Dispute between the workers and the management of Madura Mills Company, Limited, regarding bonus for 1955—Wages, dearness allowance, work-load, etc.—Conciliation Report.

1. The Papanasam Labour Union, Vickramasingapuram, the Vickramasingapuram Textile Workers' Union, Vickramasingapuram, the Madura Mill Labour Union, Madurai, the Madura Textile Workers' Union, Madurai, and the Tuticorin Mill Labourers' Union, Tuticorin, issued notices on 2nd and 3rd May 1956 informing the management of the Madura Mills Company, Limited, that the workers of the Madura Mills Company, Limited, at Madurai, Ambasamudram and Tuticorin would be going on a strike if the seven demands mentioned in the notices were not conceded. I took up conciliation proceedings on 12th May 1956 in my office. As some of the demands were common to all the workers, and any settlement that might be arrived at was likely to affect the workers who were not members of the Unions which had issued the strike notices, I invited the representatives of the National Textile Workers' Union, Madurai and Vickramasingapuram (INTUC), the Madura Labour Union, Madurai, and the Agasthier Labour Union, Vickramasingapuram, also to be present during conciliation.

2. Sri Rangasami representing the National Textile Workers' Union, Madurai and Vickramasingapuram (INTUC), stated that he would be satisfied if the recommendations of the Tripartite Textile Enquiry Committee in respect of all the demands are implemented and the demands made in the strike notices, except bonus, were raised by them also and were pending conciliation before the Labour Officer, Madurai.

3. The demands of the Unions were then discussed :—

(1) *Bonus for 1955.*—The management notified on 11th April 1956 that they would pay before 20th April 1956 a bonus equivalent to four months' basic wages to the workers in full and final settlement. The bonus has been paid as notified. The Unions demanded six months' wages as bonus and stated that though the workers had received the payment offered, it was received only as part payment.

Justifying their demand for six months' wages, Sri Balasubramaniam, Sri K. T. K. Thangamani and Sri Kannayya argued that in arriving at the surplus profits available for distribution as bonus the management had deducted from the gross profits the statutory depreciation of Rs. 11.74 lakhs and a further sum of Rs. 22.63 lakhs

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as rehabilitation reserve, that the need for rehabilitation reserve had not been proved and that this amount was treated as available for distribution, a bonus of six months' wages could easily be paid under the Labour Appellate Tribunal formula.

Mr. Andrew on behalf of the management stated that in respect of the bonus demand for 1953, the Industrial Tribunal, Madurai, erred in calculating the rehabilitation allowance. After applying the appropriate multiplier, i.e., 2.7 on machinery and 2.25 on buildings, the Industrial Tribunal arrived at the total amount required for rehabilitation but in deducting therefrom the amounts already available with the company, it took into account the depreciation amounts, already written off, without taking into account the amounts reinvested in business, which were no longer available in liquid form. The management filed an appeal on the above decision of the Industrial Tribunal before the Labour Appellate Tribunal and later the parties came to a settlement for the years 1953 and 1954 as a result of which the appeal was withdrawn. He stated that the Unions should not therefore rely on the incorrect method of calculation of the Industrial Tribunal, as the main principle in appeal was not decided by the Labour Appellate Tribunal. Mr. Andrew also stated that this question was further clarified by the Labour Appellate Tribunal in the Associated Cement Companies case reported on I.L.L.J. 1955, page 145-147, viz., that it was incorrect on the part of the adjudicator to have deducted the amount used up by the concern and applied towards past renewals of machinery and plant. In the circumstances, he could not agree to pay any additional bonus. I enclose a copy of the balance sheet of the company and the working sheets furnished by the management and Sri Kannayya regarding the available surplus.

(2) *Minimum basic wages.*—The management are at present paying a minimum basic wage of Rs. 26. Sri Balasubramaniam on behalf of the Unions wanted that it should be increased to Rs. 30 without any reference to the work-load. He contended that the management could easily afford the extra expenditure of Rs. 12 lakhs involved in this demand.

Mr. Andrew stated that the minimum basic wages is Rs. 26 in almost all the mills, that even at present the majority of the workers were getting Rs. 29-4-0 including night allowance, that, in view of the competitive nature of the industry, increase in wages should not be demanded on unitwise basis, that wages must be related to production, that in the re-deployment scheme which he proposed to introduce provision has been made for a minimum basic wage of Rs. 28 and that it was not possible to grant any increase in wages without regard to work-load.

(3) *Dearness allowance.*—The management are at present paying a dearness allowance of 3 annas per point over 100 on the Madras cost of living index figures. The Unions wanted that the dearness allowance should be increased to 4 annas per point.

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Mr. Andrew stated that no textile mill in the State was paying more than 3 annas per point, that the increased expenditure to the company in accepting the demand of the Unions would be about 45 lakhs per annum and that this demand should be dealt with on an industry basis.

(4) *Work-load*.—The management notified on the 18th April 1956 that a scheme of labour re-deployment providing for increase in wages and commission linked to revised work-loads would be introduced in the mills with effect from 7th May 1956. A copy of the scheme is enclosed. The Unions protested against the scheme and the Government advised the management to defer its introduction pending the result of conciliation.

During the discussion the Unions represented that the existing work-load was high, that the workers could not bear any increase and that there was no necessity to increase it.

Mr. Andrew explained that the management never gave up their right to give effect to the recommendations of the Standardization Committee, that they did not want to introduce it when there was food rationing, that later they were preoccupied with the Industrial Tribunals till 1951, and still later they wanted to await the recommendations of the Tripartite Textile Enquiry Committee. He stressed that under their re-deployment scheme every worker would get an increase in wages varying from Rs. 2 to Rs. 6-8-0, that no surplus labour would be retrenched and that to modernize the mills and maintain the lead in the yarn market it was necessary to introduce the re-deployment scheme.

The Unions contended that the management had not been filling up vacancies caused by natural wastage, that the work-loads had been imperceptibly increased, that the number of workers employed in 1956 was less by about 6,000 than the number employed in 1946, that the management's contention that there would be no retrenchment was not correct as what they proposed to do was to take out the surplus labour from their present occupations and provide for them elsewhere. Mr. Andrew stated that the difference in the number of workers between 1946 and 1956 was only about 2,200 and that it was due to—

- (a) stoppage of frames;
- (b) less construction work; and
- (c) reduction in the percentage of absenteeism.

(5) *Festival holidays*.—The management are at present giving six to seven festival holidays with wages in a year. The Unions want 11 festival holidays with pay. Mr. Andrew stated that the question of festival holidays was common to all mills and industries in the State, that the Unions should await legislation on an All-India basis. He pointed out that the existing facilities in their mills compared favourably with those in most of the mills in the State.

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(6) *Increments.*—The Unions wanted that the workers should be granted annual increments in wages. Mr. Andrew on behalf of the management stated that they could not bear the additional burden in course of time, that the wage differentials and payment of commission to certain productive occupations provided sufficient scope for advancement of the workers and that the production of the worker continues to be the same despite long years of service. He could not therefore concede this demand.

(7) *Permanency of workers.*—Sri Kannayya said that about 4,000 workers were kept as temporary and wanted that they should be made permanent.

Mr. Andrew stated that all the temporary workers could not be confirmed as the number required under the existing work-load has already been made permanent, that if all the workers were to be made permanent, the permanent workers would have to be laid off in rotation and that such a scheme introduced in Tuticorin in the Reeling department at the instance of the Unions had to be given up on the protest of the workers themselves.

No settlement was possible on any of the demands.

ENCLOSURE.

(1)

MADURA MILLS COMPANY, LIMITED.

Bonus for the year 1955.

Available surplus as per L.A.T. formula.

(Submitted by the management.)

	RUPEES IN LAKHS.
Profit as per Profit and Loss Account	44.20
Add Depreciation (Book figure)	18.73
Income-tax (Book figure)	33.66
Bonus for previous year debited in the year's account	31.67
	128.26
Deduct—Depreciation (Statutory—Normal and extra shift)	11.74
	116.52
Bonus for 1955—Assumed figure	* 34.00
	82.59
Income-tax—"National" at 7 annas on Rs. 82.52 lakhs	36.10
	46.42
Rehabilitation (Rs. 34.37 — Rs. 11.74)	22.63
	23.79
Return on Capital and Reserves—	
Capital at 6 per cent on Rs. 1,75,02,480	10.50
Reserves at 4 per cent on Rs. 3,31,31,427	13.25
	23.75
Surplus	0.04

* Representing an offer made by us to the Unions of 33-1/3 per cent earned basic wages during 1955.

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(2)

MADURA MILLS COMPANY, LIMITED.

1955 Bonus.

(Submitted by Sri P. A. Kannayya.)

	RS.
Net profit	44,20,509
Depreciation	18,72,33
Tax	33,66,000
Bonus wrongly debited	33,00,000
	<u>1,29,59,142</u>

Deductions—

<i>As per certain decisions.</i>	RS.	<i>As per certain other decision.</i>	RS.
Provision for tax	33,66,000		33,66,000
Rehabilitation	17,03,189		17,03,189
Return on share capital—		Return on share capital—	
At 6 per cent on share		Rs 1,75,02,480 at 6 per	
Rs. 9,16,502½	3,54,990	cent	10,50,148
At 4 per cent on bonus		At 4 per cent on reserves	
shares—Rs. 1,15,85,977½	4,63,439	employed as working	
		capital—Rs. 3,92,69,064	15,70,763
			<u>76,90,100</u>
Return at 2 per cent on			
reserves employed as			
working capital—			
Rs. 3,92,69,064	7,85,382		
	<u>66,73,000</u>		
Gross profit	1,29,59,142	Gross profit	1,29,59,142
Less deductions	66,73,000	Less deductions	76,90,100
	<u>62,86,142</u>		<u>52,69,042</u>
Six months' bonus	48,96,336	Six months' bonus	48,96,336
	<u>13,89,806</u>		<u>3,72,706</u>
* Current assets	5,67,46,935		
Less current liabilities	1,74,77,871		
Working Capital	<u>3,92,69,064</u>		

* Representing an offer made by us to the Unions of 33-1/3 per cent earned basic wages during 1955.

APPENDIX II.

[Vide answer to starred question to No. 139-I asked by Sri M. Kalyanasundaram at the meeting of the Legislative Assembly held on 18th August 1956, page 787 supra.]

Extract from G.O. Ms. No. 1298, Home, dated 28th April 1956.

Motor vehicles—Stage carriages—Grant of permits—Variations—Timings and punishments—Principles to be followed—Directions issued.

In W.P. Nos. 333 and 334 of 1951, the High Court, Madras, has held that the State Government should frame rules laying down the principles on which the selection from among the applicants for stage carriage permits is to be made and such rules must, as required by Article 19 (6), be reasonable and in the interests of the

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public; that the rules so laid down should be followed by all transport authorities including the Government without any discrimination and that the decisions of the transport authorities granting or refusing to grant permits are liable to be reviewed by the Courts and set aside if they are unreasonable, arbitrary or discriminatory. The Government have, therefore, decided to lay down the principles that should be observed by all the Transport Authorities in the matter of grant of stage carriage permits, variations or extension of routes, additional trips or change of timings and award of punishments for breaches of rules and permit conditions.

2. Therefore, in exercise of the powers conferred by section 43-A (1) of the Motor Vehicles Act, 1939 (Central Act IV of 1939), the Governor of Madras hereby issues the following directions:—

A. *Grant of stage carriage permits.*—The Transport Authorities shall, in deciding whether to grant or refuse a stage carriage permit, have regard to the following matters in addition to those mentioned in section 47 (1) of the Motor Vehicles Act, 1939:—

Applicants may be screened and disqualified on one or more of the following principles:—

(1) *Financial instability as evidenced by insolvency or undischarged decrees.*—It is important that those who run public services are not subject to financial pressure which distracts or diverts them from the prescribed rules. Borrowing for purchase of the vehicle will not by itself be a disqualification.

(2) *An adverse record in respect of efficiency and integrity.*—Ordinarily the history sheet of the previous one year alone may be considered in this respect.

(3) *Trafficking in permits as evidenced by transfer, without adequate reasons, of permits previously held.*—It is obviously necessary to discourage trade in permits.

(4) *Applying for the permit on behalf of others in order to evade the rules, particularly in respect of the viable units.*—In order to ensure efficiency of service and equality of opportunity the following principles should be applied to the remaining applicants for permits. To secure precision and to enable quick consideration a system of marking according to the principles involved may be followed. In cases where this system works unfairly, the Regional Transport Authority may ignore the marks obtained for reasons to be stated.

(1) *Building strength to viable units.*—After considering the statistics available and the reasons advanced, Government have decided that efficiency of service and economy in cost can be secured by fixing viable units of five buses. It is accordingly necessary that, other things being equal, preference should be given to existing owners of four buses and less to build up to a fleet of five buses. These owners will have preference over other

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applicants in the ascending order. In the marking system therefore applicants of four buses and less will be given one mark for each vehicle already licensed to them. Thus the owner of one bus will get one mark and the owner of two buses will get two marks and so on to a total of four. This will enable the existing permit holders to build up their buses to viable units in preference to others who have more buses or none.

(2) *Possession of repair and maintenance facilities.*—It is considered that efficiency in running depends on the constant attention which the permit holders, with their own workshop, can give. The minimum equipment of workshop to be considered to satisfy this preference is stated in the appendix. A total of two marks may be given for this qualification.

(3) *Location of residence or place of business of the applicant on the route or at the terminal.*—This qualification not only is in favour of local enterprise but also secures that the owner will pay prompt and frequent attention to the service entrusted to him. One mark may be assigned to this qualification.

(4) *Technical or business experience of transport of the applicant.*—This also secures the efficiency of the service. One mark may be assigned to this qualification.

(5) *Special circumstances like being co-operative enterprise, being supported by the public, being near existing services owned by the applicant or other reasons, to be stated in writing.*—Two marks. This will normally enable the Regional Transport Authority to make allowances for imponderable factors. A total of ten marks is therefore available to applicants on the above principles, viz.:

	Marks.
For number of buses up to a total of four at the rate of one mark per bus.	4
For (2), (3), (4) and (5) above	6
Total ...	10

It will expedite consideration of the claims of the applicants if the marks are tabulated on a broad sheet before the applicants or their lawyers are heard. The work will then be largely reduced to mere verification of the marks tabulated and assessment of special circumstances. Such broadsheets as finalised can be made part of the order, which will also reduce the work in appeals.

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APPENDIX.

Minimum equipment for a unit of five buses.

<i>Serial number and equipment.</i>	<i>Unit price.</i>	<i>Quantity required.</i>
	RS.	
1 Tool kit	850	1
2 Iron horse—Front axle	45	2
3 Iron horses—Rear axle	55	2
4 Iron horses—Chassis	55	2
5 Roll a car jack 4 tons	750	1
6 Ordinary grease gun	59	1
7 Electric grinder with wire wheel	400	1
8 Electrical tool kit	125	1
9 Wall plug lights	30	1





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